

# Chapter 1703. Use Districts

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## Sec. 1703-1. Single-Family Districts



### 1703-1.1. Purposes

The general purposes of the single-family districts are to:

- A.** Maintain and enhance existing residential housing areas.
- B.** Encourage quality and variety in building and landscape design as well as compatibility in use and form.
- C.** Allow semi-public and nonresidential uses, where appropriate.
- D.** Establish appropriate standards for reviewing proposals for new development and redevelopment.
- E.** Ensure the provision of public services and facilities needed to accommodate planned population densities.
- F.** Maintain and enhance the availability and quality of life for residents.

### 1703-1.2. Subdistricts

#### **A. SF-20 Single-Family**

SF-20 allows large-lot single-family housing. The minimum lot size is 20,000 square feet.

#### **B. SF-10 Single-Family**

SF-10 allows low density single-family housing. The minimum lot size is 10,000 square feet.

#### **C. SF-6 Single-Family**

SF-6 allows medium-density single-family housing. The minimum lot size is 6,000 square feet.

#### **D. SF-4 Single-Family**

SF-4 allows moderately high density single-family housing. The minimum lot size is 4,000 square feet.

#### **E. SF-2 Single-Family**

SF-2 allows high-density, small lot, single-family housing. The minimum lot size is 2,000 square feet.

## 1703-1.3. SF-20 Single-Family

### A. Purpose

SF-20 allows large-lot single-family housing. The minimum lot size is 20,000 square feet.



### B. General

~~Allowed~~ Permitted uses & use standards

Sec. 1703-9

Landscaping and buffering

Sec. 1711-2

Nonconformities

Sec. 1752-7

Parking

Sec. 1711-1

Outdoor storage and display

Sec. 1711-5

Rules of measurement

Sec. 1703-10

Signs

Sec. 1711-3

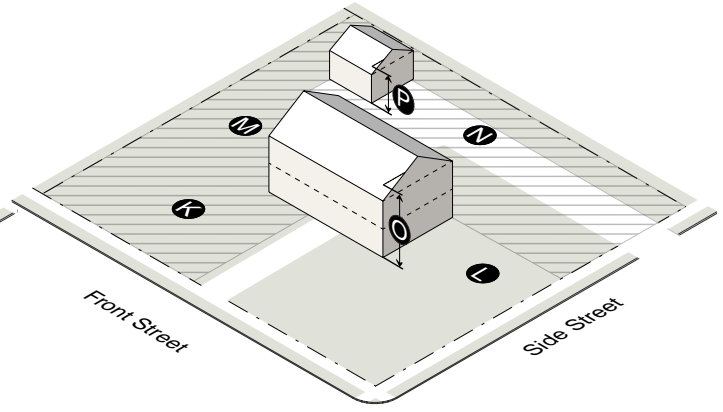
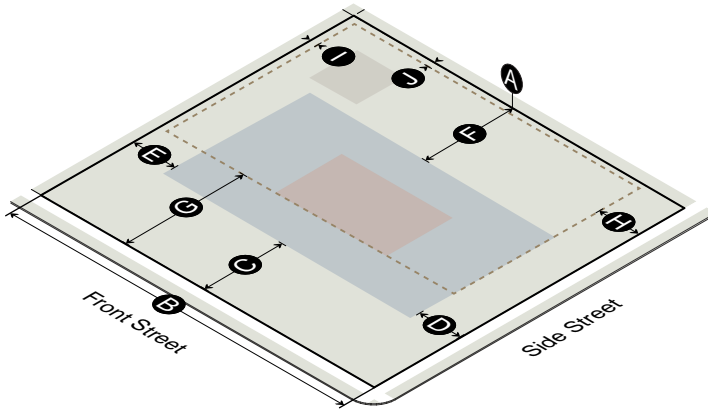
Site lighting

Sec. 1711-4

~~Use standards~~

~~Sec. 1703-10~~

## 1703-1.3. SF-20 Single-Family



### C. Lot

Lot Dimensions		
Lot area	20,000 SF min.	A
Lot width*	70' min.	B

### D. Placement

Principal Building Setbacks		
Front street	30' min. or Avg. front setback (Sec. 1703-10.4.E)	C
Side street	15' min.	D
Side interior	10' min.	E
Side total	20' min.	
Rear	35' min.	F

Accessory Structure Setbacks**		
Front yard	Not Permitted	G
Corner yard	15' min.	H
Side interior	3' min.	I
Rear	3' min.	J
Size	800 SF max.	
Number	2 max.	

\*Does not apply to panhandle lots

\*\*On a double frontage lot, the Director or his/her designee shall determine the front and rear yards

### E. Parking

Parking Location		
Front yard	<del>40% max</del> Not Permitted* (see Sec. 1703-10.14)	K
Corner yard	Not Permitted	L
Side yard	Permitted	M
Rear yard	Permitted	N

\*Parking is permitted on access drives where such drives lead to the parking lots or spaces either within the principal building, in any accessory structure, or at locations behind the front line of a building.

### F. Height

Building Height		
Principal building	35' max.	O
Accessory structure	15' max.	P



## 1703-1.4. SF-10 Single-Family

### A. Purpose

SF-10 allows low density single-family housing. The minimum lot size is 10,000 square feet.



### B. General

~~Allowed~~ Permitted uses & use standards

Sec. 1703-9

Landscaping and buffering

Sec. 1711-2

Nonconformities

Sec. 1752-7

Parking

Sec. 1711-1

Outdoor storage and display

Sec. 1711-5

Rules of measurement

Sec. 1703-10

Signs

Sec. 1711-3

Site lighting

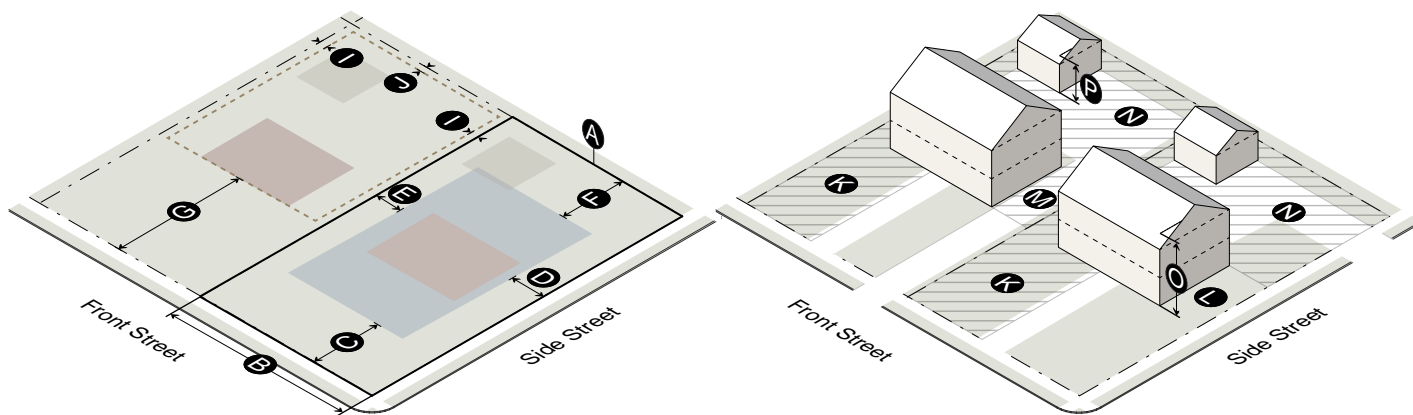
Sec. 1711-4

~~Use standards~~

~~Sec. 1703-10~~



## 1703-1.4. SF-10 Single-Family



### C. Lot

Lot Dimensions		
Lot area	10,000 SF min.	<b>A</b>
Lot width*	60' min.	<b>B</b>

### D. Placement

Principal Building Setbacks		
Front street	30' min. or Avg. front setback (Sec. 1703-10.4.E)	<b>C</b>
Side street	15' min.	<b>D</b>
Side interior	10' min.	<b>E</b>
Side total	20' min.	
Rear	35' min.	<b>F</b>

Accessory Structure Setbacks**		
Front yard	Not Permitted	<b>G</b>
Corner yard	15' min.	<b>H</b>
Side interior	3' min.	<b>I</b>
Rear	3' min.	<b>J</b>
Size	800 SF max.	
Number	2 max.	

\*Does not apply to panhandle lots

\*\*On a double frontage lot, the Director or his/her designee shall determine the front and rear yards

### E. Parking

Parking Location		
Front yard	<del>40% max-</del> Not Permitted* (see Sec. 1703-10.14)	<b>K</b>
Corner yard	Not Permitted	<b>L</b>
Side yard	Permitted	<b>M</b>
Rear yard	Permitted	<b>N</b>

\*Parking is permitted on access drives where such drives lead to the parking lots or spaces either within the principal building, in any accessory structure, or at locations behind the front line of a building.

### F. Height

Building Height		
Principal building	35' max.	<b>O</b>
Accessory structure	15' max.	<b>P</b>

## 1703-1.5. SF-6 Single-Family

### A. Purpose

SF-6 allows medium-density, single-family housing. The minimum lot size is 6,000 square feet.



### B. General

~~Allowed~~ Permitted uses & use standards

Sec. 1703-9

Landscaping and buffering

Sec. 1711-2

Nonconformities

Sec. 1752-7

Parking

Sec. 1711-1

Outdoor storage and display

Sec. 1711-5

Rules of measurement

Sec. 1703-10

Signs

Sec. 1711-3

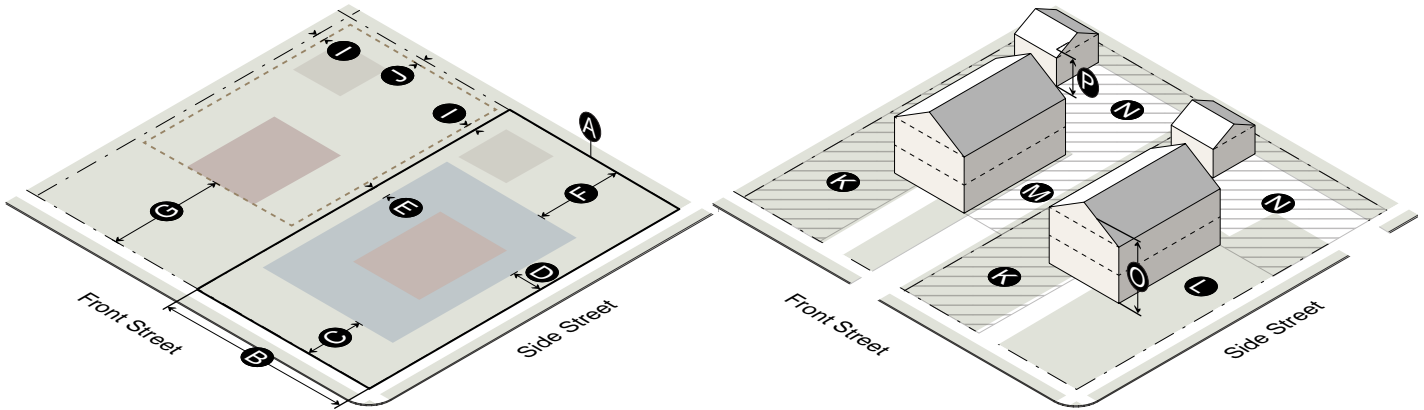
Site lighting

Sec. 1711-4

~~Use standards~~

~~Sec. 1703-10~~

## 1703-1.5. SF-6 Single-Family



### C. Lot

Lot Dimensions		
Lot area	6,000 SF min.	<b>A</b>
Lot width*	50' min.	<b>B</b>

### D. Placement

Principal Building Setbacks		
Front street	20' min. <u>or Avg. front setback (Sec. 1703-11.4.E)</u>	<b>C</b>
Side street	10' min.	<b>D</b>
Side interior	<u>5' min.-7' min.</u>	<b>E</b>
Side total	<u>40' min.-16' min.</u>	
Rear	35' min.	<b>F</b>

Accessory Structure Setbacks**		
Front yard	Not Permitted	<b>G</b>
Corner yard	15' min.	<b>H</b>
Side interior	3' min.	<b>I</b>
Rear	3' min.	<b>J</b>
Size	800 SF max.	
Number	2 max.	

\*Does not apply to panhandle lots

\*\*On a double frontage lot, the Director or his/her designee shall determine the front and rear yards

### E. Parking

Parking Location		
Front yard	<del>40% max-</del> <u>Not Permitted*</u> (see Sec. 1703-10.14)	<b>K</b>
Corner yard	Not Permitted	<b>L</b>
Side yard	Permitted	<b>M</b>
Rear yard	Permitted	<b>N</b>

\*Parking is permitted on access drives where such drives lead to the parking lots or spaces either within the principal building, in any accessory structure, or at locations behind the front line of a building.

### F. Height

Building Height		
Principal building	35' max.	<b>O</b>
Accessory structure	15' max.	<b>P</b>

## 1703-1.6. SF-4 Single-Family

### A. Purpose

SF-4 allows moderately high density single-family housing. The minimum lot size is 4,000 square feet.



### B. General

~~Allowed~~ Permitted uses & use standards

Sec. 1703-9

Landscaping and buffering

Sec. 1711-2

Nonconformities

Sec. 1752-7

Parking

Sec. 1711-1

Outdoor storage and display

Sec. 1711-5

Rules of measurement

Sec. 1703-10

Signs

Sec. 1711-3

Site lighting

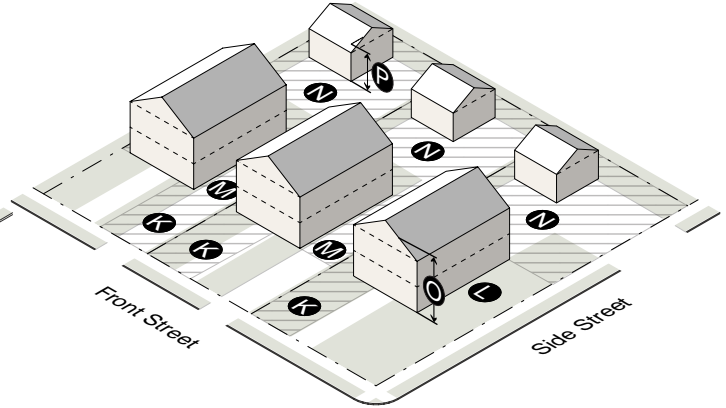
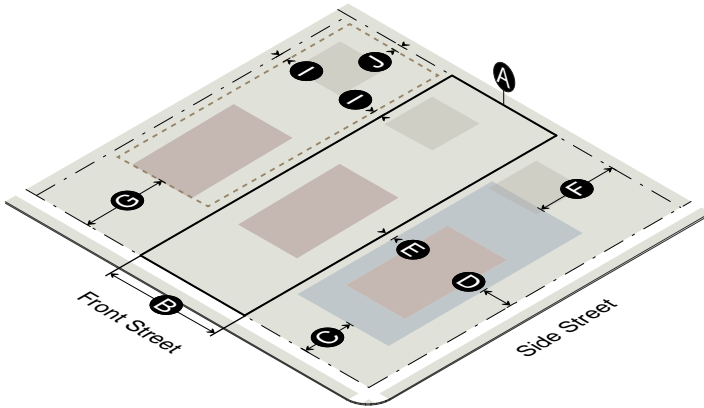
Sec. 1711-4

~~Use standards~~

~~Sec. 1703-10~~



## 1703-1.6. SF-4 Single-Family



### C. Lot

Lot Dimensions		
Lot area	4,000 SF min.	<b>A</b>
Lot width*	40' min.	<b>B</b>

### D. Placement

Principal Building Setbacks		
Front street	15' min. <del>or Avg. front setback (Sec. 1703-11.4.E)</del>	<b>C</b>
Side street	10' min.	<b>D</b>
Side interior	3' min.	<b>E</b>
Side total	<del>6' min.</del> 12' min	
Rear	<del>35' min.</del> 25' min	<b>F</b>

Accessory Structure Setbacks**		
Front yard	Not Permitted	<b>G</b>
Corner yard	15' min.	<b>H</b>
Side interior	3' min.	<b>I</b>
Rear	3' min.	<b>J</b>
Size	800 SF max.	
Number	2 max.	

\*Does not apply to panhandle lots

\*\*On a double frontage lot, the Director or his/her designee shall determine the front and rear yards

### E. Parking

Parking Location		
Front yard	<del>40% max-</del> Not Permitted* (see Sec. 1703-10.14)	<b>K</b>
Corner yard	Not Permitted	<b>L</b>
Side yard	Permitted	<b>M</b>
Rear yard	Permitted	<b>N</b>

\*Parking is permitted on access drives where such drives lead to the parking lots or spaces either within the principal building, in any accessory structure, or at locations behind the front line of a building.

### F. Height

Building Height		
Principal building	35' max.	<b>O</b>
Accessory structure	15' max.	<b>P</b>

## 1703-1.7. SF-2 Single-Family

### A. Purpose

SF-2 allows high-density, small lot, single-family developments. The minimum lot size is 2,000 square feet.



### B. General

#### Permitted uses & use standards

Landscaping and buffering

Nonconformities

Parking

Rules of measurement

Signs

Site lighting

#### Sec. 1703-9

Sec. 1711-2

Sec. 1752-7

Sec. 1711-1

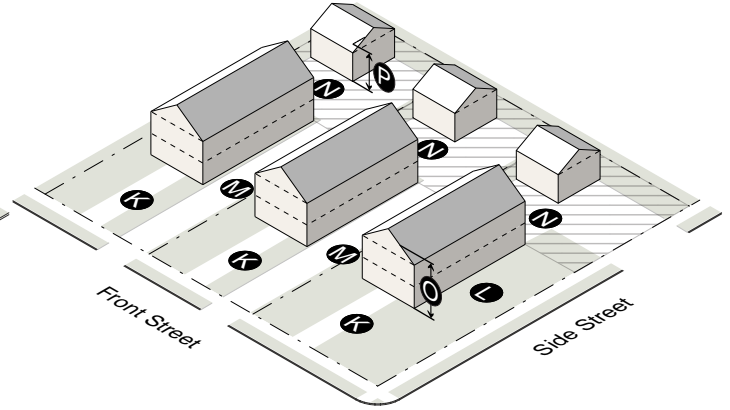
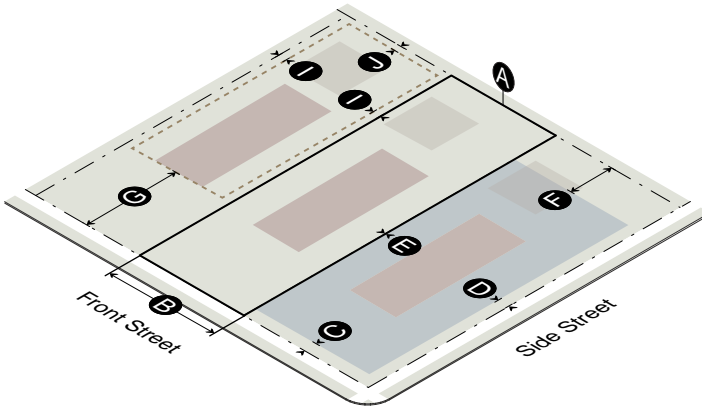
Sec. 1703-10

Sec. 1711-3

Sec. 1711-4



## 1703-1.7. SF-2 Single-Family



### C. Lot

Lot Dimensions		
Lot area	2,000 SF min.	<b>A</b>
Lot width*	20' min.	<b>B</b>

### D. Placement

Principal Building Setbacks		
Front street	5' min. <del>or Avg. front setback (Sec. 1703-11.4.E)</del>	<b>C</b>
Side street	5' min.	<b>D</b>
Side interior	0' min.	<b>E</b>
Side total	5' min.	
Rear	20' min.	<b>F</b>

Accessory Structure Setbacks**		
Front yard	Not Permitted	<b>G</b>
Corner yard	15' min.	<b>H</b>
Side interior	3' min.	<b>I</b>
Rear	3' min.	<b>I</b>
Size	800 SF max.	
Number	2 max.	

\*Does not apply to panhandle lots

\*\*On a double frontage lot, the Director or his/her designee shall determine the front and rear yards

### E. Parking

Parking Location		
Front yard	Not Permitted*	<b>K</b>
Corner yard	Not Permitted	<b>L</b>
Side yard	Not Permitted	<b>M</b>
Rear yard	Permitted	<b>N</b>

\*Parking is permitted on access drives where such drives lead to the parking lots or spaces either within the principal building, in any accessory structure, or at locations behind the front line of a building.

### F. Height

Building Height		
Principal building	35' max.	<b>O</b>
Accessory structure	15' max.	<b>P</b>



## Sec. 1703-2. Multi-Family Districts



### 1703-2.1. Purposes

The general purposes of the multi-family districts are to:

- A. Maintain and enhance the multi-family neighborhoods.
- B. Encourage quality and variety in building and landscape design as well as compatibility in use and form.
- C. Allow semi-public and Non-residential uses, where appropriate.
- D. Establish appropriate standards for reviewing proposals for new development and redevelopment.
- E. Ensure the provision of services and facilities needed to accommodate planned population densities.

### 1703-2.2. Subdistricts

#### A. RM-L Multi-Family Low

RM-L is intended to create, maintain and enhance areas of the city that have a mix of lot sizes and house types at ~~moderate intensities~~ low densities (one to ~~three~~ four dwelling units). Existing nonconforming multi-family buildings of ~~four~~ five or more units may continue to exist in the district ~~but new construction permitted~~, but new construction of multi-family buildings of five or more units is not permitted.

#### B. RM-M Multi-Family Medium

RM-M is intended to provide for a medium density mix of residential housing, predominantly duplexes and multi-family, on lots that have already been platted. The scale of buildings is generally similar to a large single-family home on a small lot. Where land is assembled, the same scale should be maintained.

#### C. RM-H Multi-Family High

RM-H is a mixed residential high density district intended to provide for a variety of residential buildings and housing options ~~at moderately high densities~~. Where land is redeveloped or assembled, the same scale should be maintained.

## 1703-2.3. RM-L Multi-Family Low

### A. Purpose

RM-L is intended to create, maintain and enhance areas of the city that have a mix of lot sizes and house types at moderate intensities (one to ~~three~~ four dwelling units). Existing nonconforming multi-family buildings of ~~four~~ five or more units may continue to exist in the district ~~but new construction is allowed, but new construction of multi-family buildings of five or more units is not permitted.~~



### B. General

~~Allowed~~ Permitted uses & use standards

Sec. 1703-9

Landscaping and buffering

Sec. 1711-2

Nonconformities

Sec. 1752-7

Parking

Sec. 1711-1

Outdoor storage and display

Sec. 1711-5

Rules of measurement

Sec. 1703-10

Signs

Sec. 1711-3

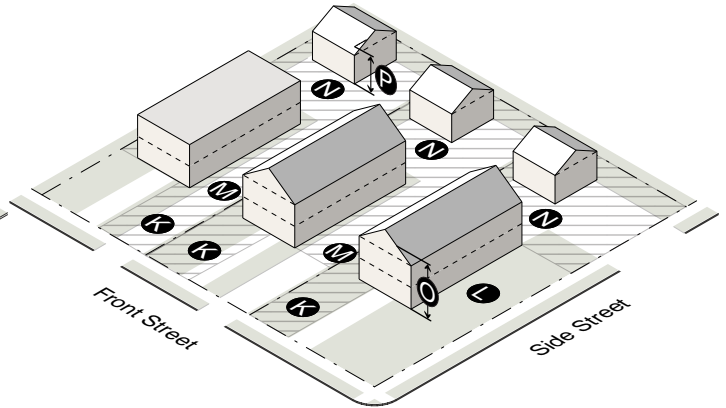
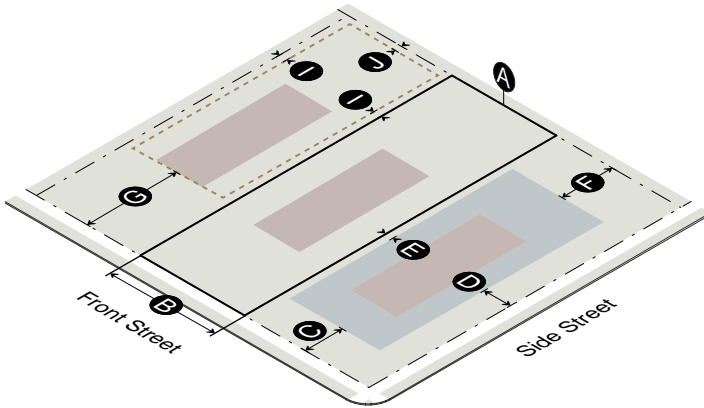
Site lighting

Sec. 1711-4

~~Use standards~~

~~Sec. 1703-10~~

## 1703-2.3. RM-L Multi-Family Low



### C. Lot

#### Lot Dimensions

	<b>A</b> Lot Area	<b>B</b> Lot Width
Single-family	2,500 SF min.	25' min.
<del>Rowhouse</del>	<del>2,500 SF min.</del>	<del>25' min.</del>
Two-Family	5,000 SF min.	25' min.
Three-Family	7,500 SF min.	75' min.
Four-Family	7,500 SF min.	75' min.
All other uses	--	--

### D. Placement

#### Principal Building Setbacks

Front street	15' min. or Avg. front setback (Sec. 1703-11.4.E) 20' min.	<b>G</b>
Side street	10' min.	<b>D</b>
Side interior	3' min.	<b>E</b>
Side total	6' min.	
Rear	20' min.	<b>F</b>

#### Accessory Structure Setbacks

Front yard	Not Permitted	<b>G</b>
Corner yard	15' min.	<b>H</b>
Side interior	3' min.	<b>I</b>
Rear	3' min.	<b>I</b>
Size	800 SF max.	

Number 2

### E. Parking

#### Location of Parking

Front yard	40% max- Not Permitted* (see Sec. 1703-10.14)	<b>K</b>
Corner yard	Not Permitted	<b>L</b>
Side yard	Permitted	<b>M</b>
Rear yard	Permitted	<b>N</b>

\*Parking is permitted on access drives where such drives lead to the parking lots or spaces either within the principal building, in any accessory structure, or at locations behind the front line of a building.

### F. Height

#### Building Height

Principal building	35' max.	<b>O</b>
Accessory structure	15' max.	<b>P</b>



## 1703-2.4. RM-M Multi-Family Medium

### A. Purpose

RM-M is intended to provide for a medium density mix of residential housing, predominantly duplexes and multi-family, on lots that have already been platted. The scale of buildings is generally similar to a large single-family home on a small lot. Where land is assembled, the same scale should be maintained.

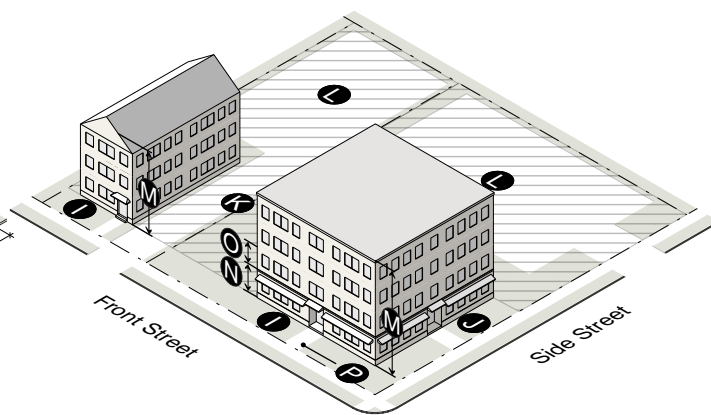
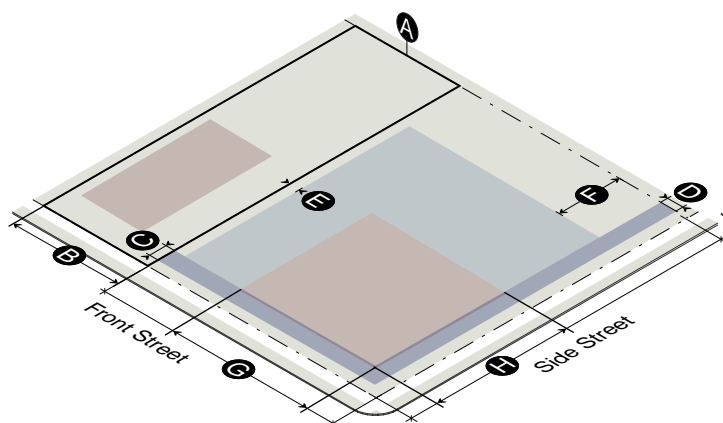


### B. General

<del>Allowed</del> Permitted uses & use standards	Sec. 1703-9
Landscaping and buffering	Sec. 1711-2
Nonconformities	Sec. 1752-7
Parking	Sec. 1711-1
Outdoor storage and display	Sec. 1711-5
Rules of measurement	Sec. 1703-10
Signs	Sec. 1711-3
Site lighting	Sec. 1711-4
<del>Use standards</del>	<del>Sec. 1703-10</del>



## 1703-2.4. RM-M Multi-Family Medium



### C. Lot

Lot Dimensions		
	A Lot Area	B Lot Width
Single-family	2,000 SF min.	20' min.
Rowhouse	1,500 SF min.	20' min.
Two-Family	3,000 SF min.	30' min.
Three-Family	5,000 SF min.	50' min.
Four-Family	5,000 SF min.	50' min.
Multi-family	7,500 SF min.*	75' min.
All other uses	--	--

\* Minimum land area = 1,200 SF per dwelling unit.

### D. Placement

Building and Structure Setbacks		
Front street	5' min./ 12' max. 20' min.	C
Side street	5' min./ 12' max. 20' min.	D
Side interior	5' min.	E
Side total	10' min.-15' min.	
Rear	20' min.-35' min.	F
Facade within Facade Zone		
Front street	70% min.	G
Side street	35% min.	H

### E. Parking

Location of Parking		
Front yard	Not Permitted	I
Corner yard	Not Permitted	J
Side yard	Permitted	K
Rear yard	Permitted	L

### F. Height

Building Height		
One to Four-Family	35' max.	M
Multi-Family	50' max.	M

### G. Activation

Transparency		
Ground story	20% min.	N
Upper story	20% min.	O
Pedestrian Access		
Street-facing entrance	Required	P

## 1703-2.5. RM-H Multi-Family High

### A. Purpose

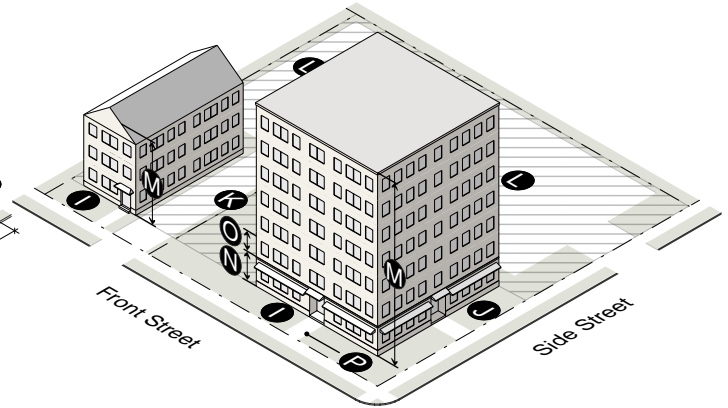
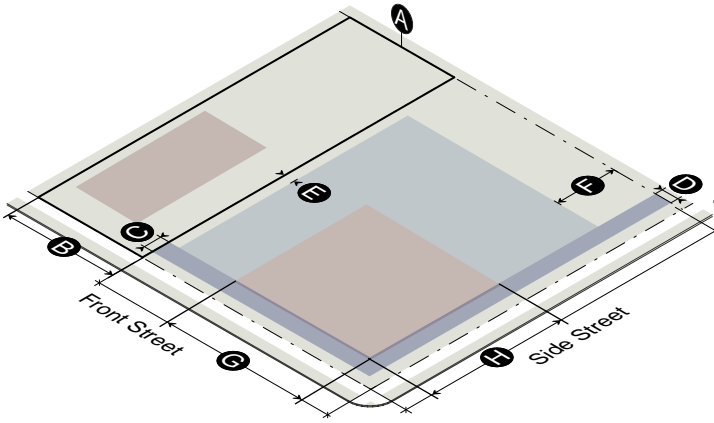
RM-H is a mixed residential high density district intended to provide for a variety of residential buildings and housing options. at moderately high densities. Where land is redeveloped or assembled, the same scale should be maintained.



### B. General

<del>Allowed</del> Permitted uses <u>&amp; use standards</u>	Sec. 1703-9
Landscaping and buffering	Sec. 1711-2
Nonconformities	Sec. 1752-7
Parking	Sec. 1711-1
Outdoor storage and display	Sec. 1711-5
Rules of measurement	Sec. 1703-10
Signs	Sec. 1711-3
Site lighting	Sec. 1711-4
<del>Use standards</del>	<del>Sec. 1703-10</del>

## 1703-2.5. RM-H Multi-Family High



### C. Lot

#### Lot Dimensions

	<b>A</b> Lot Area	<b>B</b> Lot Width
Single-family	2,000 SF min.	20' min.
<del>Rowhouse</del>	<del>1,200 SF min.</del>	<del>18' min.</del>
Two-Family	3,000 SF min.	30' min.
Three-Family	5,000 SF min.	50' min.
Four-Family	5,000 SF min.	50' min.
Multi-family	7,500 SF min.*	75' min.
Other	--	--

\* Minimum land area = 700 SF per dwelling unit.

### D. Placement

#### Building and Structure Setbacks

Front street	<del>5' min/ 12' max</del> <u>20' min.</u>	<b>C</b>
Side street	<del>5' min/ 12' max</del> <u>20' min.</u>	<b>D</b>
Side interior	5' min.	<b>E</b>
Side total	<del>10' min.</del> <u>15' min.</u>	
Rear	<del>20' min</del> <u>35' min.</u>	<b>F</b>

#### Facade within Facade Zone

Front street	70% min.	<b>G</b>
Side street	35% min.	<b>H</b>

### E. Parking

#### Location of Parking

Front yard	Not Permitted	<b>I</b>
Corner yard	Not Permitted	<b>J</b>
Side yard	Permitted	<b>K</b>
Rear yard	Permitted	<b>L</b>

### F. Height

#### Building Height

<u>One to Four-Family</u>	<u>35' max.</u>	<b>M</b>
Multi-Family	85' max.*	<b>M</b>

\*Buildings higher than 85' require a conditional use.

### G. Activation

#### Transparency

Ground story	20% min.	<b>N</b>
Upper story	20% min.	<b>O</b>

#### Pedestrian Access

Street-facing entrance	Required	<b>P</b>
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## Sec. 1703-3. Mixed Use and Commercial Districts



### 1703-3.1. Purposes

The general purposes of the mixed use districts are to:

- A. Encourage the creation of new and the enhancement of existing commercial districts serving adjacent residential neighborhood areas.
- B. Encourage the creation of neighborhood activity centers as focal points along transportation corridors.
- C. Encourage quality and variety in building and landscape design as well as compatibility in use and form, where appropriate.
- D. Establish appropriate standards for reviewing proposals for new development and redevelopment, where appropriate, in commercial areas.
- E. Allow certain mixed commercial, office and residential uses, where appropriate.
- F. Maintain and enhance existing commercial districts, giving special consideration to type, scale, intensity and access.

### 1703-3.2. Subdistricts

#### A. RX Residential Mixed Use

RX is a mixed residential and office district intended to provide for a variety of residential buildings and small offices. RX can serve as a land use transition between other more intense districts and residential neighborhoods. RX allows ~~limited retail and services subject to use standards that limit the size and scale to the ground floor corner unit of a building, small to medium sized buildings and lots, with varied setbacks.~~

#### B. PX Pedestrian Mixed Use

PX is intended to be pedestrian oriented, small-scale commercial district generally found in NBDs that are not on arterials or high-traffic roads. Buildings may be multi-story with commercial on first floor and office/residential above. Buildings create continuous street frontage with few breaks and are built to lot line.

#### C. NX Neighborhood Mixed Use

NX is intended to provide for neighborhood-serving retail and commercial uses at intensities compatible with abutting residential development. ~~To help ensure that uses are truly neighborhood serving, individual tenant footprints cannot exceed 15,000 square feet without obtaining a conditional use permit. This district is generally pedestrian oriented, with small or medium scale commercial uses, often in NBDs on arterials or along roads with more significant traffic. Buildings may be multi-story with commercial on first floor and office/residential above. Buildings create continuous street frontage with some breaks for driveways and are generally built to lot line.~~

#### D. CX Commercial Mixed Use

CX is intended to provide for a variety of residential, retail, service, office and commercial uses, balancing pedestrian and auto-oriented commercial uses. ~~This district is appropriate for lower-intensity commercial corridors and NBDs on arterials. It allows for mix of scales, including developments of larger scale and more significant density and heights. Buildings may be single or multi-story with commercial on first floor and office/residential above. While CX accommodates commercial uses, the inclusion of residential and Industrial uses are strongly encouraged in order to promote live-work and mixed use opportunities.~~

#### E. CG Commercial General

CG is intended for areas along major arterials where a variety of lower intensity commercial, service, retail and multi-family uses are desired. CG is intended for ~~the City's most intense auto-oriented and heavy commercial uses, large scale, low density commercial development in the form of shopping centers and auto-oriented commercial strips.~~



## 1703-3.3. RX Residential Mixed Use

### A. Purpose

RX is a mixed residential and office district intended to provide for a variety of residential buildings and small offices. RX can serve as a land use transition between other more intense districts and residential neighborhoods. RX allows ~~limited retail and services subject to use standards that limit the size and scale to the ground floor corner unit of a building; small to medium sized buildings and lots, with varied setbacks.~~

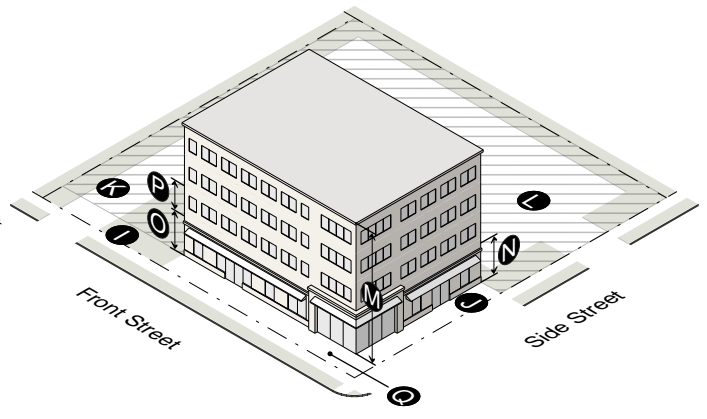
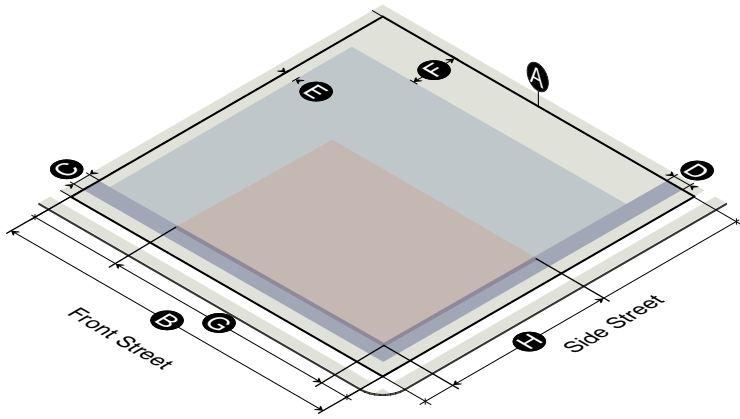


### B. General

<del>Allowed</del> Permitted uses <u>&amp; use standards</u>	Sec. 1703-9
Landscaping and buffering	Sec. 1711-2
Nonconformities	Sec. 1752-7
Parking	Sec. 1711-1
Outdoor storage and display	Sec. 1711-5
Rules of measurement	Sec. 1703-10
Signs	Sec. 1711-3
Site lighting	Sec. 1711-4
<del>Use standards</del>	<del>Sec. 1703-10</del>



## 1703-3.3. RX Residential Mixed Use



### C. Lot

Lot Dimensions		
Lot area	<del>6</del> 4,000 SF min.	A
Lot width	<del>6</del> 40' min.	B
Minimum lot area per dwelling unit	1200 SF	

### D. Placement

Building and Structure Setbacks		
Front street	5' min. / 12' max. / 20' min.	C
Side street	5' min. / 12' max.	D
Side interior	5' min.	E
Rear	20' min.	F
Facade within Facade Zone		
Front street	60% min.	G
Side street	30% min.	H

### E. Parking

Location of Parking		
Front yard	Not Permitted	I
Corner yard	Not Permitted	J
Side yard	Permitted	K
Rear yard	Permitted	L

### F. Height

Building Height		
All buildings/structures	50' 35' max.	M
Ground story height: Nonresidential only	12-15' min.	N

### G. Activation

Transparency			
Ground story	-Residential	20% min.	O
	-Nonresidential	420% min.	
Upper story	-Residential	20% min.	P
	-Nonresidential	20% min.	
Pedestrian Access			
Street-facing entrance	Required		Q

## 1703-3.4. PX Pedestrian Mixed Use

### A. Purpose

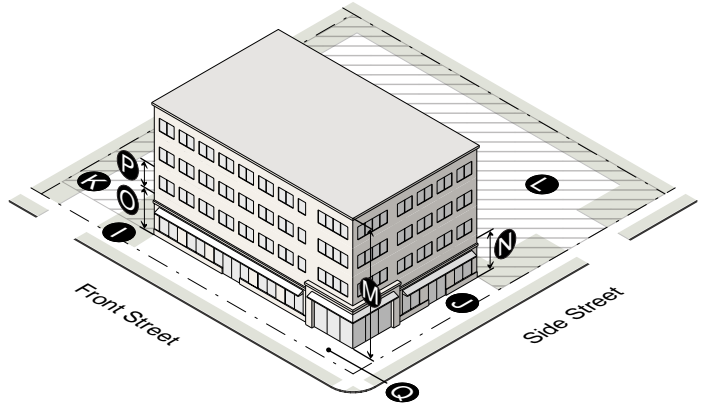
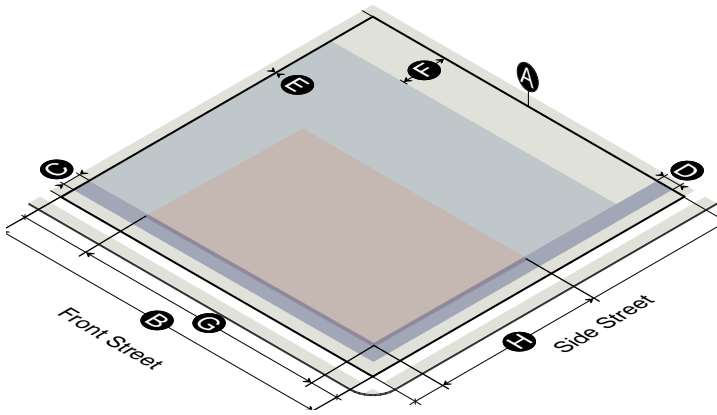
PX is intended to be pedestrian oriented, small-scale commercial district generally found in NBDs that are not on arterials or high-traffic roads. Buildings may be multi-story with commercial on first floor and office/residential above. Buildings create continuous street frontage with few breaks and are built to lot line.



### B. General

<a href="#">Permitted uses &amp; use standards</a>	<a href="#">Sec. 1703-9</a>
<a href="#">Landscaping and buffering</a>	<a href="#">Sec. 1711-2</a>
<a href="#">Nonconformities</a>	<a href="#">Sec. 1752-7</a>
<a href="#">Parking</a>	<a href="#">Sec. 1711-1</a>
<a href="#">Outdoor storage and display</a>	<a href="#">Sec. 1711-5</a>
<a href="#">Rules of measurement</a>	<a href="#">Sec. 1703-10</a>
<a href="#">Signs</a>	<a href="#">Sec. 1711-3</a>
<a href="#">Site lighting</a>	<a href="#">Sec. 1711-4</a>

## 1703-3.4. PX Pedestrian Mixed Use



### C. Lot

#### Lot Dimensions

Lot area	0 SF min.	A
Lot width	0' min.	B

### D. Placement

#### Building and Structure Setbacks

Front street	0' min. / 12' max.	C
Side street	0' min. / 12' max.	D
Side interior	-Residential 5' min.	E
	-Commercial 0' min.	
Rear	20' min.	F

#### Facade within Facade Zone

Front street	70% min.	G
Side street	35% min.	H

### E. Parking

#### Location of Parking

Front yard	Not Permitted	I
Corner yard	Not Permitted	J
	Permitted with	
Side yard	Special Exception	K
	Approval	
Rear yard	Permitted	L

### F. Height

#### Building Height

All buildings/structures	50' max	M
Ground story height:		
Nonresidential only	15' min	N

#### Building Mass

Individual tenant footprint	5,000 SF max.
-----------------------------	---------------

### G. Activation

#### Transparency

Ground story	-Residential	20% min.	O
	-Nonresidential	60% min.	
Upper story	-Residential	20% min.	P
	-Nonresidential	20% min.	

#### Pedestrian Access

Street-facing entrance	Required	Q
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## 1703-3.5. NX Neighborhood Mixed Use

### A. Purpose

NX is intended to provide for neighborhood-serving retail and commercial uses at intensities compatible with abutting residential development. ~~To help ensure that uses are truly neighborhood serving, individual tenant footprints cannot exceed 15,000-square-foot without obtaining a conditional use permit. This district is generally pedestrian oriented, with small or medium scale commercial uses, often in NBDs on arterials or along roads with more significant traffic. Buildings may be multi-story with commercial on first floor and office/residential above. Buildings create continuous street frontage with some breaks for driveways and are generally built to lot line.~~

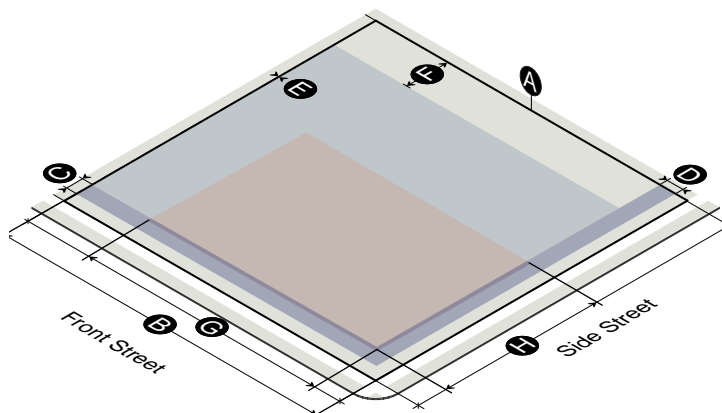


### B. General

<del>Allowed Permitted</del> uses <u>&amp; use standards</u>	Sec. 1703-9
Landscaping and buffering	Sec. 1711-2
Nonconformities	Sec. 1752-7
Parking	Sec. 1711-1
Outdoor storage and display	Sec. 1711-5
Rules of measurement	Sec. 1703-10
Signs	Sec. 1711-3
Site lighting	Sec. 1711-4
<del>Use standards</del>	<del>Sec. 1703-10</del>



## 1703-3.4. PX Pedestrian Mixed Use



### C. Lot

#### Lot Dimensions

Lot area	0 SF min.	<b>A</b>
Lot width	0' min.	<b>B</b>

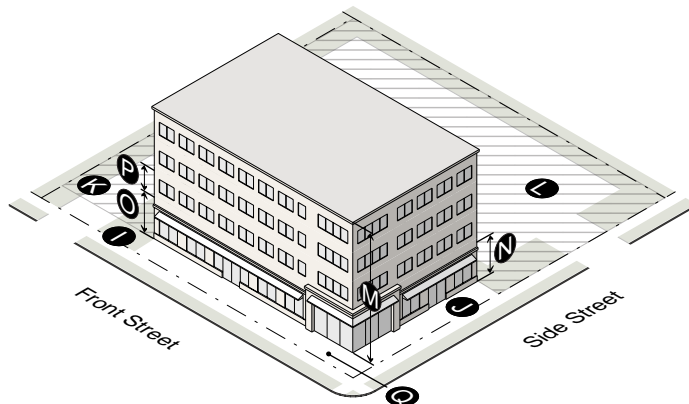
### D. Placement

#### Building and Structure Setbacks

Front street	<u>50'</u> min. / 12' max.	<b>C</b>
Side street	<u>50'</u> min. / 12' max.	<b>D</b>
Side interior	<u>-Residential</u> <u>5' min.</u>	<b>E</b>
	<u>-Commercial</u> <u>0' min.</u>	
Rear	20' min.	<b>F</b>

#### Facade within Facade Zone

Front street	70% min.	<b>G</b>
Side street	35% min.	<b>H</b>



### E. Parking

#### Location of Parking

Front yard	Not Permitted	<b>I</b>
Corner yard	Not Permitted	<b>J</b>
Side yard	Permitted <u>with</u> <u>Special Exception</u> <u>Approval</u>	<b>K</b>
Rear yard	Permitted	<b>L</b>

### F. Height and Mass

#### Building Height

All buildings/structures	50' max	<b>M</b>
Ground story height: Nonresidential only	<u>±215'</u> min	<b>N</b>

#### Building Mass

Individual tenant footprint	<u>±5,000 SF max.*</u>	
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\*More than 5,000 SF up to 15,000 SF permitted with conditional use approval.

### G. Activation

#### Transparency

Ground story	-Residential	20% min.	<b>O</b>
	-Nonresidential	60% min.	
Upper story	-Residential	20% min.	<b>P</b>
	-Nonresidential	20% min.	

#### Pedestrian Access

Street-facing entrance	Required	<b>Q</b>
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## 1703-3.6. CX Commercial Mixed Use

### A. Purpose

CX is intended to provide for a variety of residential, retail, service, office and commercial uses, balancing pedestrian and auto-oriented commercial uses. This district is appropriate for lower-intensity commercial corridors and NBDs on arterials. It allows for mix of scales, including developments of larger scale and more significant density and heights. Buildings may be single or multi-story with commercial on first floor and office/residential above. While CX accommodates commercial uses, the inclusion of residential and Industrial uses are strongly encouraged in order to promote live-work and mixed-use opportunities.

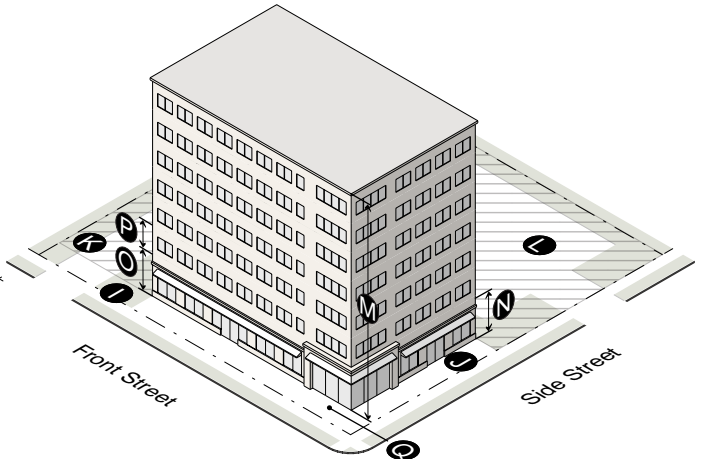
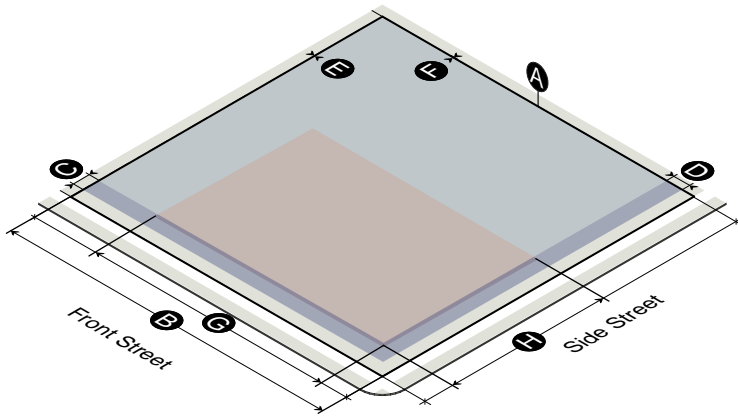


### B. General

<del>Allowed</del> Permitted uses & use standards	Sec. 1703-9
Landscaping and buffering	Sec. 1711-2
Nonconformities	Sec. 1752-7
Parking	Sec. 1711-1
Outdoor storage and display	Sec. 1711-5
Rules of measurement	Sec. 1703-10
Signs	Sec. 1711-3
Site lighting	Sec. 1711-4
<del>Use standards</del>	<del>Sec. 1703-10</del>



## 1703-3.6. CX Commercial Mixed Use



### C. Lot

Lot Dimensions		
Lot area	0 SF min.	<b>A</b>
Lot width	0' min.	<b>B</b>

### D. Placement

Building and Structure Setbacks		
Front street	5' min. / 12' max.	<b>C</b>
Side street	5' min. / 12' max.	<b>D</b>
Side interior	<u>-Residential</u> 5' min.	<b>E</b>
	<u>-Commercial</u> 0' min.	
Rear	20' min.	<b>F</b>
Facade within Facade Zone		
Front street	70% min.	<b>G</b>
Side street	35% min.	<b>H</b>

### E. Parking

Location of Parking		
Front yard	Not Permitted	<b>I</b>
Corner yard	Not Permitted	<b>J</b>
Side yard	Permitted	<b>K</b>
Rear yard	Permitted	<b>L</b>

### F. Height and Mass

Building Height		
All buildings/structures	85' max.*	<b>M</b>
Ground story height: Nonresidential only	12-15' min.	<b>N</b>

\*Limited to 50' with Urban Design Overlay District restrictions.

### G. Activation

Transparency		
Ground story	-Residential 20% min.	<b>O</b>
	-Nonresidential 60% min.	
Upper story	-Residential 20% min.	<b>P</b>
	-Nonresidential 20% min.	
Pedestrian Access		
Street-facing entrance	Required	<b>Q</b>

## 1703-3.7. CG Commercial General

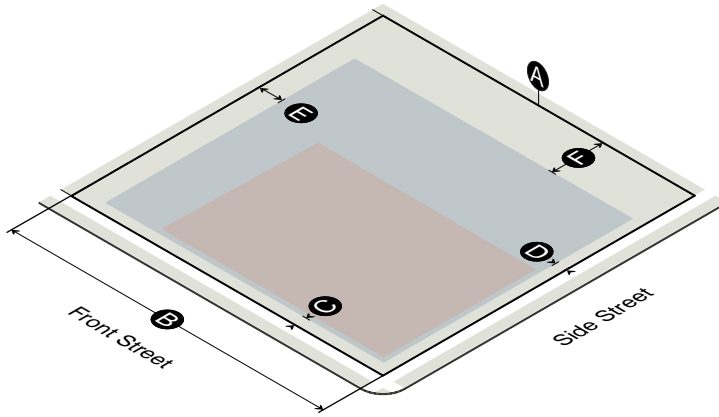
### A. Purpose

CG is intended for areas along major arterials where a variety of lower intensity commercial, service, retail and multi-family uses are desired. CG is intended for ~~the City's most intense auto-oriented and heavy commercial uses.~~ large scale, low density commercial development in the form of shopping centers and auto-oriented commercial strips.



### B. General

<del>Allowed</del> Permitted uses <u>&amp; use standards</u>	Sec. 1703-9
Landscaping and buffering	Sec. 1711-2
Nonconformities	Sec. 1752-7
Parking	Sec. 1711-1
Outdoor storage and display	Sec. 1711-5
Rules of measurement	Sec. 1703-10
Signs	Sec. 1711-3
Site lighting	Sec. 1711-4
<del>Use standards</del>	<del>Sec. 1703-10</del>

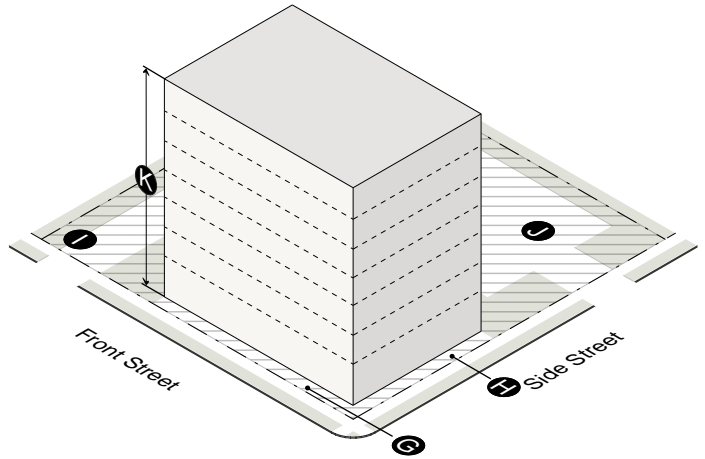


### C. Lot

Lot Dimensions		
Lot area	0 SF min.	<b>A</b>
Lot width	0' min.	<b>B</b>

### D. Placement

Building and Structure Setbacks		
Front street	5' min.	<b>C</b>
Side street	5' min.	<b>D</b>
Side interior	10' min.	<b>E</b>
Rear	20' min.	<b>F</b>



### E. Parking

Location of Parking		
Front yard	Permitted	<b>G</b>
Corner yard	Permitted	<b>H</b>
Side yard	Permitted	<b>I</b>
Rear yard	Permitted	<b>J</b>

### F. Height and Mass

Building Height		
All buildings/structures	85' max.	<b>K</b>
Ground story height: Nonresidential only	15' min.	



## Sec. 1703-4. Industrial Districts



### 1703-4.1. Purposes

The general purposes of the Industrial districts are to:

- A.** Promote and preserve manufacturing areas as significant Industrial generators.
- B.** Facilitate the necessary infrastructure to accommodate a wide variety of transportation, manufacturing and technology uses.
- C.** Accommodate existing traditional industries, while anticipating new technologies and business service uses.
- D.** Preserve appropriate location of industries that may have the potential to generate off-site impacts, while providing compatibility in use and form.
- E.** Establish appropriate standards for reviewing proposals for new development and redevelopment, where appropriate, in manufacturing areas.
- F.** Ensure the provision of services and facilities needed to facilitate planned Industrial densities.

### 1703-4.2. Subdistricts

#### A. IX Industrial Mixed Use

IX is intended to provide for a variety of light industrial and manufacturing uses while allowing for retail, service and commercial activity and limited housing opportunities. To help ensure that land is reserved for manufacturing and Industrial, residential uses are limited to the upper stories. IX is not intended to provide for areas exclusively dominated by light industrial or manufacturing but provide for developments that incorporate commercial uses with housing, retail and service-related activity. IX can serve as a land use transition between heavy industrial areas and mixed use and commercial districts.

#### B. IA Industrial Agricultural

IA is intended to create, preserve, and enhance areas that are appropriate for agricultural, farming, low impact manufacturing and supporting commercial uses. Low impact manufacturing and supporting commercial uses may be permitted provided they meet specific performance standards and are buffered from residential uses. Single-family is also encouraged in the district.

#### C. IH Industrial Heavy

IH is intended to recognize and preserve areas that are intended exclusively for the location of manufacturing establishments. Future development will accommodate heavy industrial and manufacturing uses. These uses typically require sites with good transportation access. Uses that may inhibit or compete with industrial development are prohibited.



## 1703-4.3. IX Industrial Mixed Use

### A. Purpose

IX is intended to provide for a variety of light industrial and manufacturing uses while allowing for retail, service and commercial activity and limited housing opportunities. To help ensure that land is reserved for manufacturing and Industrial, residential uses are limited to the upper stories. IX is not intended to provide for areas exclusively dominated by light industrial or manufacturing but provide for developments that incorporate commercial uses with housing, retail and service-related activity. IX can serve as a land use transition between heavy industrial areas and mixed use and commercial districts.



### B. General

~~Allowed Permitted~~ uses & use standards

Sec. 1703-9

Landscaping and buffering

Sec. 1711-2

Nonconformities

Sec. 1752-7

Parking

Sec. 1711-1

Outdoor storage and display

Sec. 1711-5

Rules of measurement

Sec. 1703-10

Signs

Sec. 1711-3

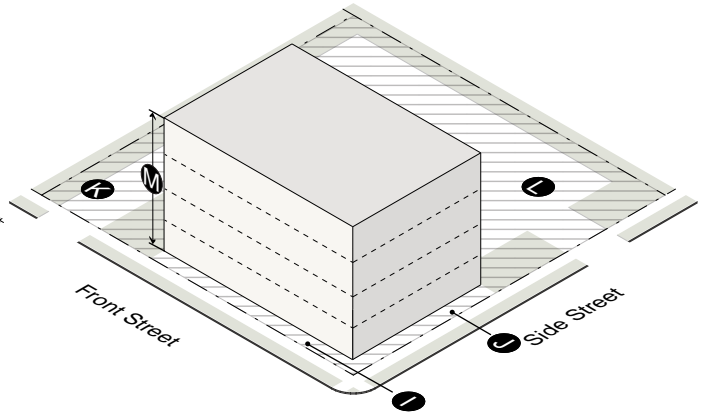
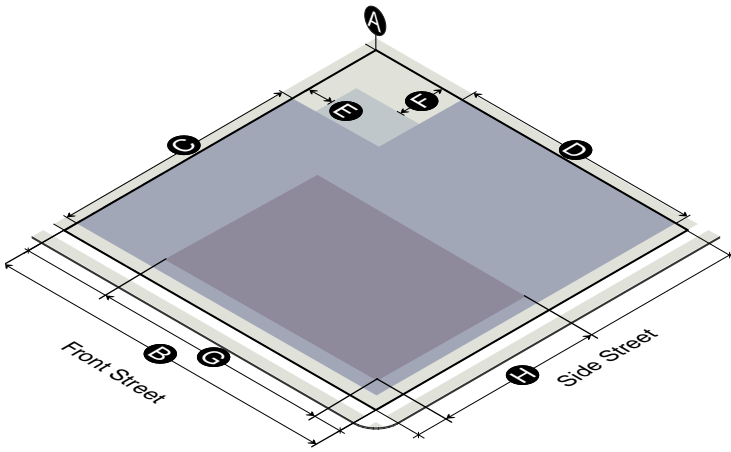
Site lighting

Sec. 1711-4

~~Use standards~~

~~Sec. 1703-10~~

## 1703-4.3. IX Industrial Mixed Use



### C. Lot

Lot Dimensions		
Lot area	0 SF min.	<b>A</b>
Lot width	0' min.	<b>B</b>

### D. Placement

Building and Structure Setbacks		
Front street	5' min. / 85' max	<b>C</b>
Side street	5' min. / 85' max	<b>D</b>
Side interior	10' min.	<b>E</b>
Rear	20' min.	<b>F</b>
Facade within Facade Zone		
Front street	50% min.	<b>G</b>
Side street	20% min.	<b>H</b>

### E. Parking

Location of Parking		
Front yard	2 bays max of on-site parking with drive aisle	<b>I</b>
Corner yard	2 bays max of on-site parking with drive aisle	<b>J</b>
Side yard	Permitted	<b>K</b>
Rear yard	Permitted	<b>L</b>

### F. Height

Building Height		
All buildings/structures	45' max.	<b>M</b>

## 1703-4.4. IA Industrial Agricultural

### A. Purpose

IA is intended to create, preserve and enhance areas that are appropriate for agricultural, farming, low impact manufacturing and supporting commercial uses. Low impact manufacturing and supporting commercial uses may be permitted provided they meet specific performance standards and are buffered from residential uses. ~~Single-family is also encouraged in the district.~~



### B. General

~~Allowed-Permitted~~-uses & use standards

Sec. 1703-9

Landscaping and buffering

Sec. 1711-2

Nonconformities

Sec. 1752-7

Parking

Sec. 1711-1

Outdoor storage and display

Sec. 1711-5

Rules of measurement

Sec. 1703-10

Signs

Sec. 1711-3

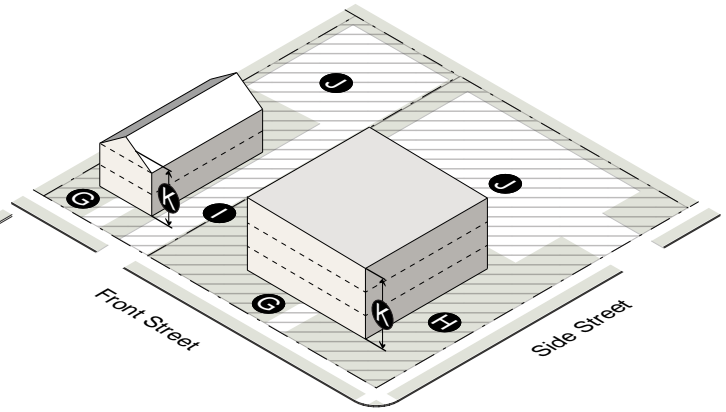
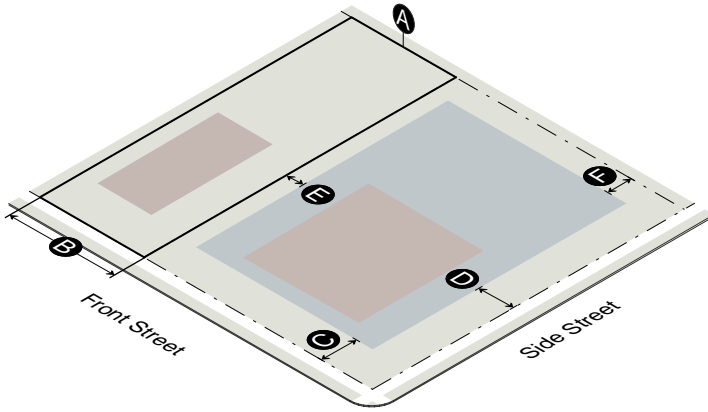
Site lighting

Sec. 1711-4

~~Use standards~~

~~Sec. 1703-10~~

## 1703-4.4. IA Industrial Agricultural



### C. Lot

Lot Dimensions		
	<b>A</b> Lot Area	<b>B</b> Lot Width
Residential	20,000 SF min.	20' min.
Nonresidential	0' SF min.	18' min.

### D. Placement

Building Setbacks		
Front street	25' min.	<b>C</b>
Side street	25' min.	<b>D</b>
Side interior	10' min.	<b>E</b>
Rear	20' min.	<b>F</b>

### E. Parking

Location of Parking		
Front yard	Permitted	<b>G</b>
Corner yard	Permitted	<b>H</b>
Side yard	Permitted	<b>I</b>
Rear yard	Permitted	<b>J</b>

### F. Height

Building Height		
All buildings/structures	35' max.	<b>K</b>

Silos are permitted above the 35' height limit as long as the total width of all silos that exceed that elevation may not exceed 10% of the width of the property. Provided, however, the Director may approve silos having a total width of 30% of the width of the property.



## A. Purpose

IH is intended to recognize and preserve areas that are intended exclusively for the location of manufacturing establishments. Future development will accommodate heavy industrial and manufacturing uses. These uses typically require sites with good transportation access. Uses that may inhibit or compete with industrial development are prohibited.



## B. General

~~Allowed-Permitted~~ uses & use standards

Sec. 1703-9

Landscaping and buffering

Sec. 1711-2

Nonconformities

Sec. 1752-7

Parking

Sec. 1711-1

Outdoor storage and display

Sec. 1711-5

Rules of measurement

Sec. 1703-10

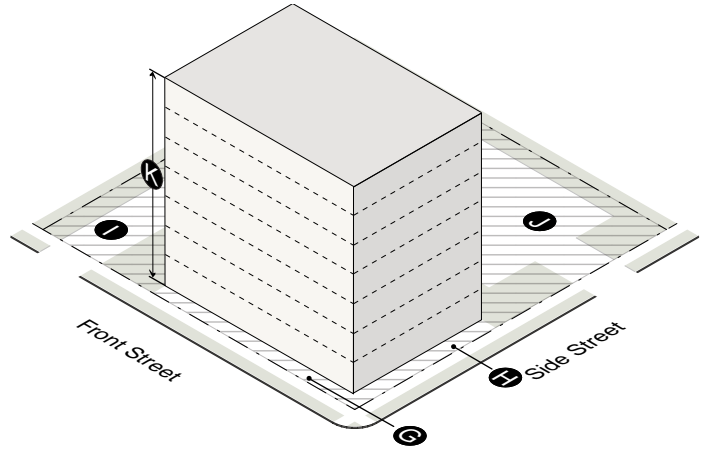
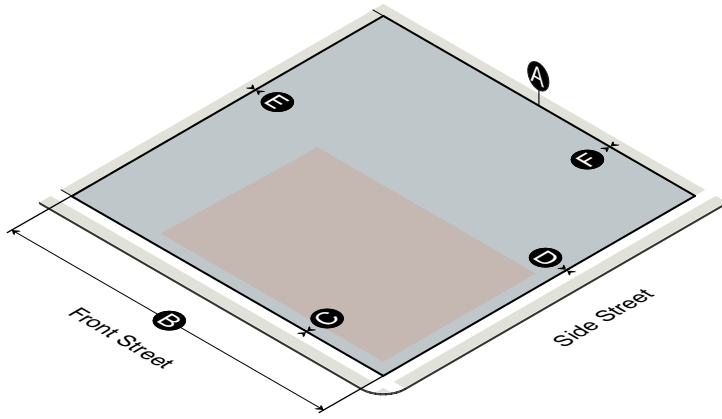
Signs

Sec. 1711-3

Site lighting

Sec. 1711-4





Use standards

Sec. 1703-10

### C. Lot

Lot Dimensions		
Lot area	0 SF min.	<b>A</b>
Lot width	0' min.	<b>B</b>

### D. Placement

Building and Structure Setbacks		
Front street	0' min.	<b>C</b>
Side street	0' min.	<b>D</b>
Side interior	0' min.	<b>E</b>
Rear	0' min.	<b>F</b>

### E. Parking

Location of Parking		
Front yard	Permitted	<b>G</b>
Corner yard	Permitted	<b>H</b>
Side yard	Permitted	<b>I</b>
Rear yard	Permitted	<b>J</b>

### F. Height

Building Height		
All buildings/structures	85' max.	<b>K</b>



## Sec. 1703-5. Riverfront Districts



### 1703-5.1. Purposes

The general purposes of the riverfront districts are to:

- A.** Promote residential and river-related recreational, commercial and manufacturing activities along the Ohio and Little Miami Rivers.
- B.** Maintain scenic river views from major public thoroughfares.
- C.** Preserve significant natural features of the floodplain environment.
- D.** Protect the special designation of the Little Miami River as a recreational river by the United States Congress and as a scenic river, as established by the Ohio General Assembly.
- E.** Conform to the requirements imposed by Chapter 1109, Floodplain Management, of the Cincinnati Building Code.

### 1703-5.2. Subdistricts

#### **A. RF-R Riverfront Residential/Recreational District**

RF-R is intended to optimize the scenic beauty of the riverfront while mixing residential uses into current public and semi-public land uses and to enhance the stability and revitalization of adjoining neighborhoods.

#### **B. RF-C Riverfront Commercial District**

RF-C is intended to provide sites for commercial and manufacturing uses that require river access and to provide a buffer between the high intensity RF-M riverfront industrial and the more mixed-use RF-R areas, while providing needed services for both areas and protecting adjoining residential neighborhoods, public parks and recreation facilities from the effects of more intense commercial and industrial uses.

#### **C. RF-M Riverfront Manufacturing District**

RF-M is intended to provide sites for heavy industrial uses that require river access, maintain the economic vitality of the industrial riverfront and minimize any adverse impacts resulting from such activity on residential, park, recreation and commercial recreation facilities.

## 1703-5.3. RF-R Riverfront Residential/Recreational

### A. Purpose

RF-R is intended to optimize the scenic beauty of the riverfront while mixing residential uses into current public and semi-public land uses and to enhance the stability and revitalization of adjoining neighborhoods.

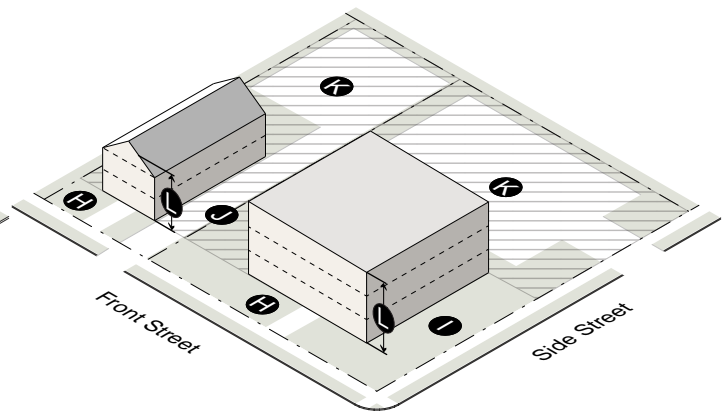
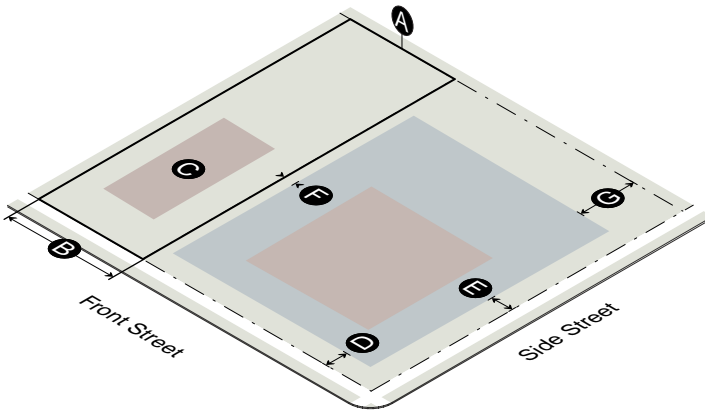


### B. General

<del>Allowed-Permitted</del> uses <u>&amp; use standards</u>	Sec. 1703-9
Landscaping and buffering	Sec. 1711-2
Nonconformities	Sec. 1752-7
Parking	Sec. 1711-1
Outdoor storage and display	Sec. 1711-5
Rules of measurement	Sec. 1703-10
Signs	Sec. 1711-3
Site lighting	Sec. 1711-4
<u>Use standards</u>	<u>Sec. 1703-10</u>



## 1703-5.3. RF-R Riverfront Residential/Recreational



### C. Lot

Lot Dimensions		
	<b>A</b> Lot Area	<b>B</b> Lot Width
Rowhouse	2,000 SF min.	0' min.
All other uses	4,000 SF min.	0' min.
Building coverage	80% max.	<b>C</b>

### D. Placement

Building and Structure Setbacks		
Front street	10' min.	<b>D</b>
Side street	10' min.	<b>E</b>
Side interior	5' min.	<b>F</b>
Side total	10' min.	
Rear	30' min	<b>G</b>

### E. Parking

Location of Parking		
Front yard	Not Permitted	<b>H</b>
Corner yard	Not Permitted	<b>I</b>
Side yard	Permitted	<b>J</b>
Rear yard	Permitted	<b>K</b>

### F. Height

Building Height		
All buildings/structures	35' max.	<b>L</b>
Maximum height is measured above base flood elevation		

## 1703-5.4. RF-C Riverfront Commercial

### A. Purpose

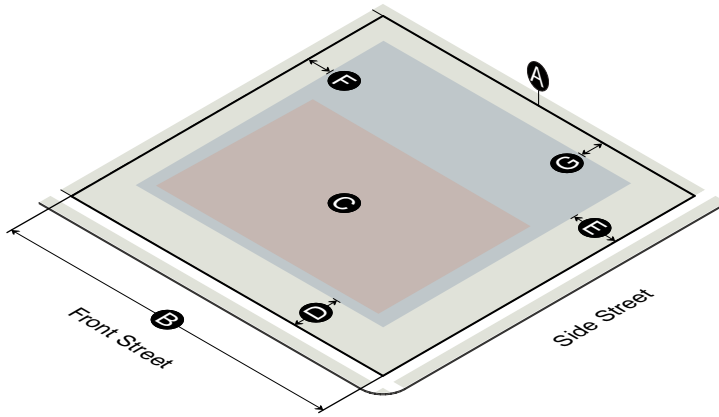
RF-C is intended to provide sites for commercial and manufacturing uses that require river access and to provide a buffer between the high intensity RF-M riverfront industrial and the more mixed-use RF-R areas, while providing needed services for both areas and protecting adjoining residential neighborhoods, public parks and recreation facilities from the effects of more intense commercial and industrial uses.



### B. General

<del>Allowed-Permitted</del> uses <u>&amp; use standards</u>	Sec. 1703-9
Landscaping and buffering	Sec. 1711-2
Nonconformities	Sec. 1752-7
Parking	Sec. 1711-1
Outdoor storage and display	Sec. 1711-5
Rules of measurement	Sec. 1703-10
Signs	Sec. 1711-3
Site lighting	Sec. 1711-4
<del>Use standards</del>	<del>Sec. 1703-10</del>

## 1703-5.4. RF-C Riverfront Commercial

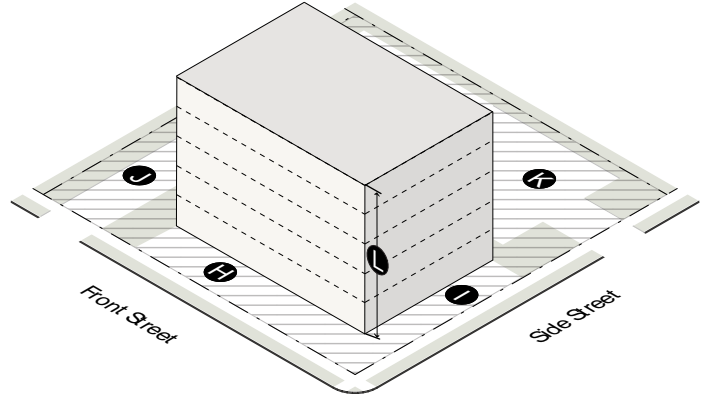


### C. Lot

Lot Dimensions		
Lot area	0 SF min.	<b>A</b>
Lot width	0' min.	<b>B</b>
Building coverage	70% max.	<b>C</b>

### D. Placement

Building and Structure Setbacks		
Front street	25' min.	<b>D</b>
Side street	25' min.	<b>E</b>
Side interior	10' min.	<b>F</b>
Side total	20' min.	
Rear	10' min.	<b>G</b>



### E. Parking

Location of Parking		
Front yard	Permitted	<b>H</b>
Corner yard	Permitted	<b>I</b>
Side yard	Permitted	<b>J</b>
Rear yard	Permitted	<b>K</b>

### F. Height

Building Height		
All buildings/structures	100' 50' max.*	<b>L</b>

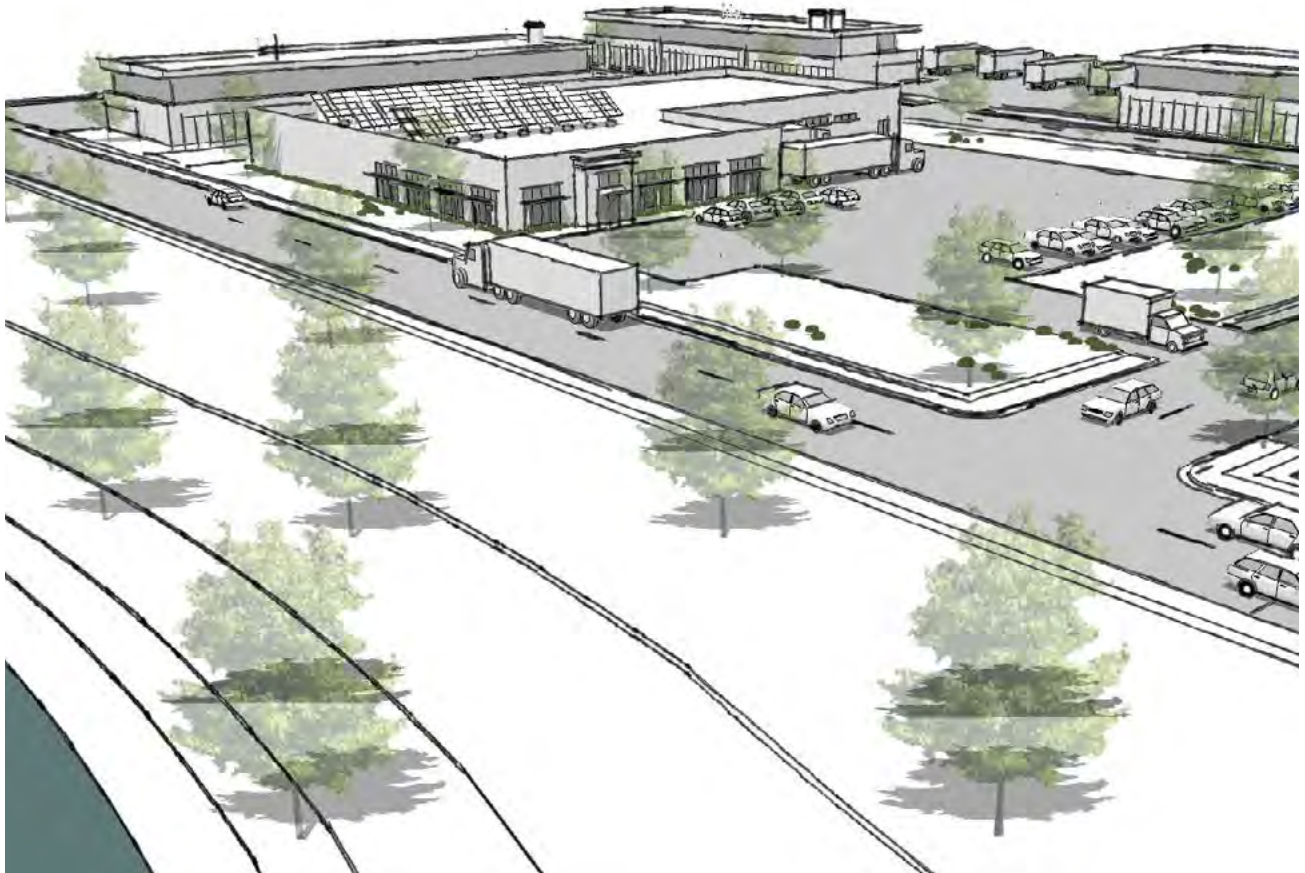
\*Buildings higher than 50 feet up to 100 feet require a conditional use.

The maximum height may not exceed 100 feet above the elevation of the Ohio River at the Markland Dam pool stage if within 500 feet of a SF-, RM- or RF-R District except silos. The total width of all silos that exceed that elevation may not exceed 10% of the width of the property. Provided, however, the Director may approve silos having a total width of 30% of the width of the property if the silos do not materially impair significant views of the Ohio River from any U.S. or state highway or other public vantage. The width of silos is measured at the point of maximum width of the part of the silo that extends more than 100 feet above the elevation of the Ohio River at Markland Dam pool stage at the site. Conveyors, elevators, ladders and similar fixtures serving a silo are not included in the measurement of the width of a silo. The width of the property is the maximum width of the property measured along a straight line parallel to a line joining the mid points of the Ohio River at each end of the property.

## 1703-5.5. RF-M Riverfront Manufacturing

### A. Purpose

RF-M is intended to provide sites for heavy industrial uses that require river access, maintain the economic vitality of the industrial riverfront and minimize any adverse impacts resulting from such activity on residential, park, recreation and commercial recreation facilities.

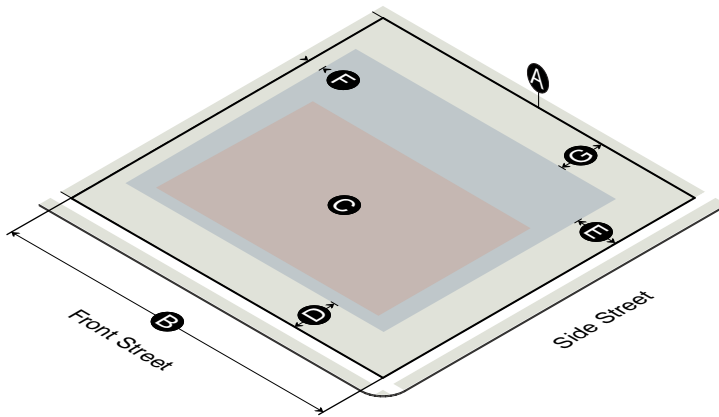


### B. General

<del>Allowed-Permitted</del> uses <u>&amp; use standards</u>	Sec. 1703-9
Landscaping and buffering	Sec. 1711-2
Nonconformities	Sec. 1752-7
Parking	Sec. 1711-1
Outdoor storage and display	Sec. 1711-5
Rules of measurement	Sec. 1703-10
Signs	Sec. 1711-3
Site lighting	Sec. 1711-4
<del>Use standards</del>	<del>Sec. 1703-10</del>



## 1703-5.5. RF-M Riverfront Manufacturing

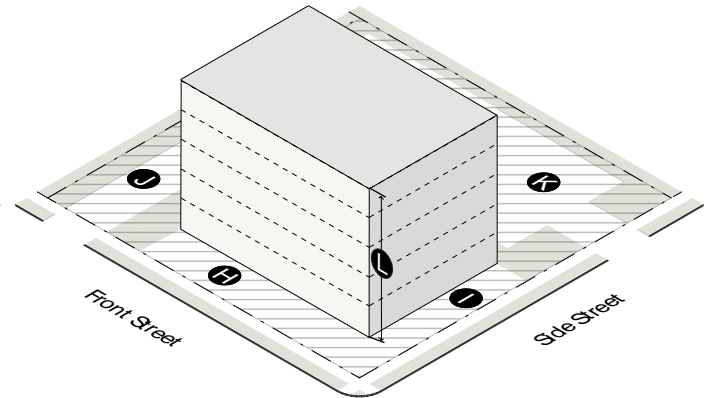


### C. Lot

Lot Dimensions		
Lot area	0 SF min.	<b>A</b>
Lot width	0' min.	<b>B</b>
Building coverage	80% max.	<b>C</b>

### D. Placement

Building and Structure Setbacks		
Front street	20' min.	<b>D</b>
Side street	20' min.	<b>E</b>
Side interior	5' min.	<b>F</b>
Side total	10' min.	<b>G</b>
Rear	20' min.	<b>A</b>



### E. Parking

Location of Parking		
Front yard	Permitted	<b>H</b>
Corner yard	Permitted	<b>I</b>
Side yard	Permitted	<b>J</b>
Rear yard	Permitted	<b>K</b>

### F. Height

Building Height		
All buildings/structures	50'*	<b>L</b>

\*Buildings higher than 50 feet up to 100 feet require a conditional use.

The maximum height may not exceed 100 feet above the elevation of the Ohio River at the Markland Dam pool stage if within 500 feet of a SF-, RM- or RF-R District except silos. The total width of all silos that exceed that elevation may not exceed 10% of the width of the property. Provided, however, the Director may approve silos having a total width of 30% of the width of the property if the silos do not materially impair significant views of the Ohio River from any U.S. or state highway or other public vantage. The width of silos is measured at the point of maximum width of the part of the silo that extends more than 100 feet above the elevation of the Ohio River at Markland Dam pool stage at the site. Conveyors, elevators, ladders and similar fixtures serving a silo are not included in the measurement of the width of a silo. The width of the property is the maximum width of the property measured along a straight line parallel to a line joining the mid points of the Ohio River at each end of the property.

**G. Ohio River Bank Area**

Existing tree cover and vegetation must be preserved between the pool stage of the Ohio River and a line 50 feet inland from and congruent with the Markland Dam pool stage, except where new construction, floodproofing or docking facilities are necessary to achieve compliance with Chapter 1109, Flood Plain Management, of the Cincinnati Building Code, a U.S. Army Corps of Engineers permit, or where modified by the Director ~~of Buildings and Inspections~~ pursuant to §17xx11-2. Landscaping and Buffering.

**H. Little Miami Riverfront Area**

Within 500 feet of the Little Miami River, a use may be established only if the Director finds in consultation with the Director of Parks and the Director of Recreation that the use:

1. Maintains the natural and free-flowing conditions of the Little Miami River, except where channel modifications are required to mitigate a severe hazard to life or property;
2. Does not aggravate erosion of the river bank;
3. Has no adverse effect on existing wildlife habitation;
4. Conserves significant natural vegetation and tree cover except for damaged or diseased trees in access ways;
5. Protects or enhances the scenic, recreational, geologic, cultural or historic values of the river that led to its designation as a recreational and scenic river; and
6. Does not substantially interfere with the recreational use and enjoyment of the Little Miami River by the public.

## Sec. 1703-6. Special Districts



### 1703-6.1. Purposes

The special districts are those districts that don't easily fit within a single-family, multi-family, mixed use, commercial or Industrial district.

### 1703-6.2. Subdistricts

#### A. PR Parks and Recreational

PR intends to preserve, protect and enhance a system of public parks, parkways, greenspace, recreation areas, natural and scenic areas, and protect sensitive natural resource areas.

#### B. IR Institutional Residential

IR is intended to provide appropriate zoning for major institutions and support services that will allow for continuation and expansion without adverse impacts on adjacent residential neighborhoods. IR promotes the orderly development of institutional and residential land uses and establishes appropriate standards for reviewing proposals for new development of institutional uses and for expansion of existing institutional uses.

### A. Purpose

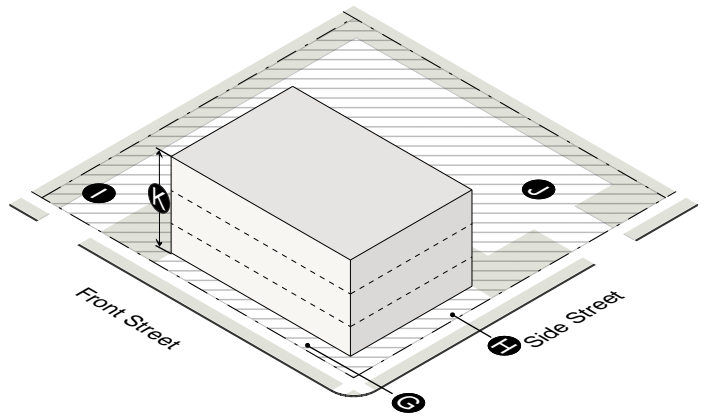
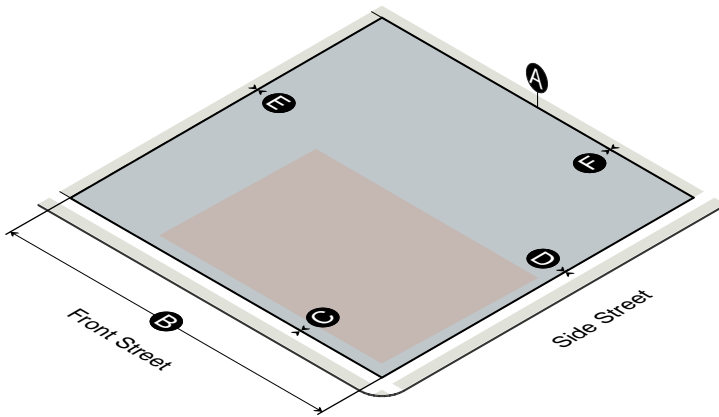
PR intends to preserve, protect and enhance a system of public parks, parkways, greenspace, recreation areas, natural and scenic areas, and protect sensitive natural resource areas.



### B. General

<del>Allowed-Permitted</del> uses & <u>use standards</u>	Sec. 1703-9
Landscaping and buffering	Sec. 1711-2
Nonconformities	Sec. 1752-7
Parking	Sec. 1711-1
Outdoor storage and display	Sec. 1711-5
Rules of measurement	Sec. 1703-10
Signs	Sec. 1711-3
Site lighting	Sec. 1711-4
<del>Use standards</del>	<del>Sec. 1703-10</del>

## 1703-6.3. PR Parks and Recreational



### C. Lot

Lot Dimensions		
Lot area	0 SF min.	<b>A</b>
Lot width	0' min.	<b>B</b>

### D. Placement

Building Setbacks		
Front street	0' min.	<b>C</b>
Side street	0' min.	<b>D</b>
Side interior	0' min.	<b>E</b>
Rear	0' min.	<b>F</b>

### E. Parking

Location of Parking		
Front yard	Permitted	<b>G</b>
Corner yard	Permitted	<b>H</b>
Side yard	Permitted	<b>I</b>
Rear yard	Permitted	<b>J</b>

### F. Height

Building Height		
Principal building	35' max.	<b>K</b>

### G. Signs

Signs located in any PR district shall conform with the following regulations, with section 1711-3, Signs, and with Chapter 718, Revocable Street Privileges, of the Municipal Code.

#### 1. Outdoor Scoreboards

Outdoor scoreboards shall be treated as wall or freestanding signs and are also subject to the following regulations:

- Scoreboards are signs designed to provide game information to spectators at athletic events that may or may not contain limited advertising messages or public service announcements.

- Scoreboards shall be designed solely for view from the spectator areas at a school, park or other public or private athletic complex and shall not exceed 120 square feet.
- Scoreboards can be illuminated, but shall not contain flashing or animated elements unless approved by the Director or his/her designee and are adequately screened from abutting streets and properties.
- Sponsored scoreboards are permitted, provided the sponsorship/advertising area does not exceed 25% of the face of the scoreboard.



## 1703-6.4. IR Institutional Residential

### A. Purpose

IR is intended to provide appropriate zoning for major institutions and support services that will allow for continuation and expansion without adverse impacts on adjacent residential neighborhoods. IR promotes the orderly development of institutional and residential land uses and establishes appropriate standards for reviewing proposals for new development of institutional uses and for expansion of existing institutional uses.



### B. General

~~Allowed-Permitted~~ uses & use  
standards

Sec. 1703-9

Landscaping and buffering

Sec. 1711-2

Nonconformities

Sec. 1752-7

Parking

Sec. 1711-1

Outdoor storage and display

Sec. 1711-5

Rules of measurement

Sec. 1703-10

Signs

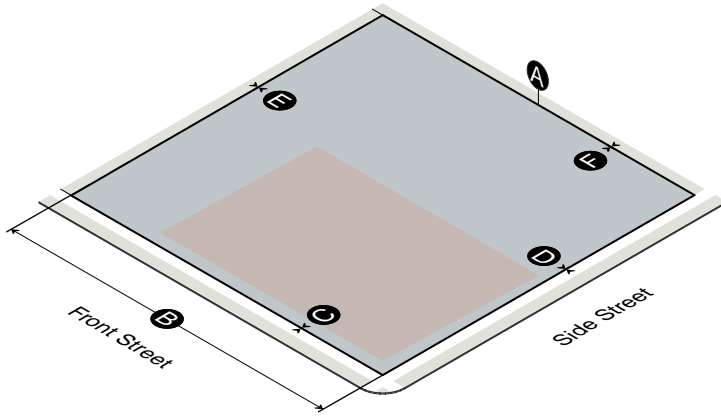
Sec. 1711-3

Site lighting

Sec. 1711-4

~~Use standards~~

~~Sec. 1703-10~~

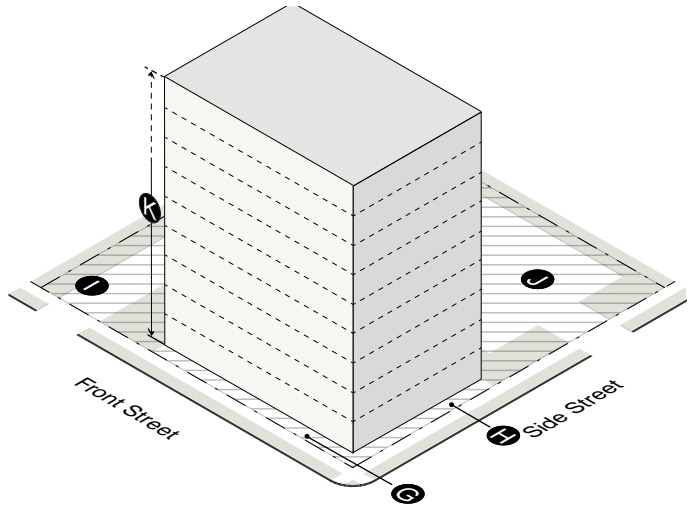


### C. Lot

Lot Dimensions		
Lot area	0 SF min.	<b>A</b>
Lot width	0' min.	<b>B</b>

### D. Placement

Building Setbacks		
Front street	0' min.	<b>C</b>
Side street	0' min.	<b>D</b>
Side interior	0' min.	<b>E</b>
Rear	0' min.	<b>F</b>



### E. Parking

Location of Parking		
Front yard	Permitted	<b>G</b>
Corner yard	Permitted	<b>H</b>
Side yard	Permitted	<b>I</b>
Rear yard	Permitted	<b>J</b>

### F. Height

Building Height		
All buildings/structures	200' max.	<b>K</b>

### G. Truck Docks; Loading and Service Areas

Truck docks, loading and service areas are not permitted within 50 feet of a residential district boundary and are not permitted to be used between 10 PM and 7 AM on weekdays and between 11 PM and 7 AM on weekends. These facilities must be located at the side of buildings or in the rear of the site and screened so as not to be visible from public streets.

### H. Institutional Buffer Yard Plan

The development of colleges, hospitals, schools and commercial laboratories, ~~in an Institutional Residential District and any of the accessory uses permitted or conditionally permitted in an IR district, as listed in table set forth at Section 1703-9.3,~~ must be in accordance with an approved Institutional Buffer Yard Plan.

#### 1. Purpose

- a. The Institutional Buffer Yard Plan is intended to foster the appropriate growth of colleges, hospitals, schools, commercial laboratories, ~~and any of the accessory uses permitted or conditionally permitted in an IR district, as listed in table set forth at Section 1703-9.3.~~
- b. The purpose of the buffer yard regulations is to require building setbacks and landscaping in a park-like setting to provide a transition from the scale of institutions to the scale of the surrounding residential neighborhood and to address conditions sometimes associated with intense institutional land uses.

#### 2. When Required

- a. Buffer yards must be provided whenever a new institution facility is constructed or expanded. ~~New facilities include any new building, the addition of more than 2,500 square feet of gross floor area to an~~

~~existing building, parking garage or deck or expansion thereof, or an existing building whose use is changed to a use listed in (a) above.~~

- b. ~~New facilities include any new building, addition of more than 2,500 square feet of gross floor area to an existing building, parking garage or deck or expansion thereof, or an existing building whose use is changed to a use listed in subsection 1. above.~~
- c. When the entire new facility is more than 200 feet from any district boundary line, a buffer yard is not required.

### 3. Buffer Yard Plan

- a. On the first occasion that an institution provides a buffer yard pursuant to the requirements of this section, the institution must file a buffer yard plan with the Director ~~of Buildings and Inspections, who has the discretion to approve, reject, or condition their approval of the plan.~~
- b. The plan must show all property within the IR District under control of the institution, the location of all buildings and paved areas for all parts of the institution property within 200 feet of a residential district that abuts the IR District.
- c. The plan must show the location of all buffer yards required by this section.

### 4. Buffer Yard Location

- a. Buffer yards must be provided at all points on the perimeter of an IR District where the IR District abuts a Residential District.
- b. ~~Buffer yards are not required, however, at any point where the new facility is obscured by an existing building when viewed by a person standing at grade on the boundary~~

~~between the IR District and the residential district or where the boundary is more than 200 feet from the new facility.~~

## 5. Required Buffer Yard Depth

- a. Buffer yards must be provided to a depth from the perimeter of the property a distance equal to one-sixth the height of the building or addition plus 25 feet when abutting a Residential District.
- b. An institution may designate additional depth to a required buffer yard in order to satisfy the standards over the expanded area.

## I. Institutional Buffer Yard Standards

Buffer yards must meet the following standards:

### 1. Plant Material

- a. Buffer yards must contain plant materials such as trees, grass, flowers, shrubs and ground cover over at least 55% of the buffer yard area.
- b. The area beneath any building or parking lot that was constructed prior to the designation of the IR District in which the institution is located may be excluded in the calculation of the percentage under this paragraph.

### 2. Trees

Buffer yards must contain at least one shade or ornamental tree of at least 3-inch caliper for every 20 linear feet of buffer yard, measured along the property line, with no more than 50 feet between trees.

### 3. New Structures Prohibited

New buildings, fences other than protective railings required by the Cincinnati Building Code, walls other than retaining walls, parking lots or loading areas may not be located in any buffer yard.

## 4. Walls

Retaining walls must be faced with stone or maintained with plant material appropriate to a park-like setting.

## 5. Waste Collection

Garbage, trash or recycling containers or facilities may not be located in any buffer yard. At the time of the establishment of a buffer yard, any existing garbage, trash or recycling containers or facilities must be removed. This prohibition on trash containers does not extend to trash receptacles located along walkways or in plazas intended for use by pedestrians.

## 6. Underground Parking

Buffer yards may contain underground parking garages, utility services and other accessory structures when approved by the Director as a conditional use, if located entirely below grade and the surface is restored to park-like appearance with plantings.

## 7. Landscape Maintenance

All required trees and plants must be maintained in a healthy condition and replaced if damaged or destroyed. Further, all buffer yards must be maintained in good condition and kept free of debris.

## J. Sign Standards

Signs in IR must comply with the following:

### 1. Internal Signs

The following permitted signs, not intended for view from beyond the premises of the institution, are subject to the following standards:

#### a. Ground Signs

- i. Maximum Area Per Sign Face: 24 square feet
- ii. Maximum Number of Sign Faces: 2

- iii. Maximum Number: One per building
- iv. Maximum Sign Height: 6 feet
- v. Maximum Sign Width: 12 feet
- vi. Minimum Sign Setback: N/A
- vii. Illumination Permitted: External or internal

**b. Wall Signs Indicating the Name of the Institution and Other Information**

- i. Maximum Area Per Sign Face: 24 square feet
- ii. Maximum Number of Sign Faces: 1
- iii. Maximum Number: 2 per building
- iv. Maximum Sign Height: 20 feet above the average grade of the wall
- v. Maximum Sign Width: None
- vi. Minimum Sign Setback: None
- vii. Illumination Permitted: External or Internal. If internally illuminated, the background of the sign shall be opaque and the letters light emitting.

**c. Marquee, Canopy, or Awning Signs**

- i. Maximum Area Per Sign Face: 24 square feet
- ii. Maximum Number of Sign Faces: 1
- iii. Maximum Number: One per building
- iv. Maximum Sign Height: None
- v. Maximum Sign Width: None
- vi. Minimum Sign Setback: None
- vii. Illumination Permitted: External or internal

**d. Ground or Wall Signs Directing the Way to Hospital Emergency Facilities**

- i. Maximum Area Per Sign Face: 20 square feet
- ii. Maximum Number of Sign Faces: 2

- iii. Maximum Number: 2 per building
- iv. Maximum Sign Height: None
- v. Maximum Sign Width: None
- vi. Minimum Sign Setback: None
- vii. Illumination: External or Internal. If internally illuminated, the background of the sign shall be opaque and the letters light emitting.

**e. Changeable Copy Signs**

Changeable Copy Signs may be erected as a ground or wall sign only and must comply with the following:

- i. Maximum Area Per Sign Face: 24 square feet
- ii. Maximum Number of Sign Faces: 2
- iii. Maximum Number: 1 per building
- iv. Maximum Sign Height: Ground Sign: 6 feet; Wall Signs: 20 feet above the average grade of the wall
- v. Maximum Sign Width: None
- vi. Minimum Sign Setback: None
- vii. Illumination Permitted: External or internal. If internally illuminated, the background of the sign shall be opaque and the letters light emitting.

**f. Instructional Signs**

Instructional signs may be erected as a ground or wall sign only and must comply with the following:

- i. Maximum Area Per Sign Face: 12 square feet
- ii. Maximum Number of Sign Faces: 2
- iii. Maximum Number: 6 per building
- iv. Maximum Sign Height: 6 feet
- v. Maximum Sign Width: None
- vi. Minimum Sign Setback: None



- vii. Illumination Permitted: External or internal. If internally illuminated, the background of the sign shall be opaque and the letters light emitting.

## 2. External Signs

The following permitted signs, that are intended to be seen from beyond the premises of the institution and are located within 200 feet of an SF or RM District, are subject to the following standards:

### a. Ground Signs

Ground Signs indicating the name of the institution and other information:

- i. Maximum Area per Sign Face: 72 square feet
- ii. Maximum Number of Faces: 2
- iii. Maximum Number: One for every public street frontage on the perimeter of the institution.
- iv. Maximum Sign Height: 16 feet
- v. Maximum Letter Height: N/A
- vi. Maximum Sign Width: N/A
- vii. Maximum Sign Setback: Twice the sign height
- viii. Illumination Permitted: External or internal. If internally illuminated, the background of the sign must be opaque and the letters light emitting.

### b. Wall Signs

Wall Signs indicating the name of the institution and other information:

- i. Maximum Area Per Sign Face: One-half square feet for each foot of wall width, not to exceed 50 square feet
- ii. Maximum Number of Sign Faces: 1
- iii. Maximum Number: One per building.

- iv. Maximum Sign Height: 20 feet above the average grade of the wall.
- v. Maximum Sign Width: N/A
- vi. Minimum Sign Setback: N/A
- vii. Illumination Permitted: External or internal

## 3. Building Identification Signs

Building identification signs that are intended to be seen from beyond the site must be erected as wall signs and meet the following standards:

- a. Maximum Display Area: 250 square feet for every sign face.
- b. Placement: Within 20 feet of the top of the wall and shall not project above the roof line. (See Sec. 1711-3, Signs).
- c. Maximum Number On a Single Building: One per external wall and a maximum of four per building.
- d. Maximum Number for Each IR Campus: 4



## Sec. 1703-7. Downtown Districts



### 1703-7.1. Purposes

The general purposes of the downtown development district regulations are to:

- A.** Provide a balance of uses and amenities fostering a vital economic and cultural center of the city and enhance its aesthetic qualities.
- B.** Encourage quality and variety in building and landscape design as well as compatibility in use and form.
- C.** Protect and enhance historic, cultural and architectural resources.
- D.** Create and enhance pedestrian-oriented streets to preserve retail vitality and improve the quality of life for downtown workers, visitors, and residents.

### 1703-7.2. Purpose of Subdistricts

#### A. DD-A Downtown Core

Subdistrict A, Downtown Core is intended to encourage, support and enhance the downtown area as a high-density, mixed-use urban center of regional importance and a center for business, communications, office, government, retail and entertainment. Subdistrict A allows a mix of large-scale offices, convention facilities, commercial, high-rise residential, public, recreation and entertainment uses.

#### B. DD-B Downtown Residential

Subdistrict B, Downtown Residential is intended to create, maintain and enhance areas for residential developments that will complement and support the downtown core. Residential developments may be either as a sole use or as a mixed use and achieved through the adaptive reuse of historic structures or new construction. Subdistrict B also permits loft residences and offices.

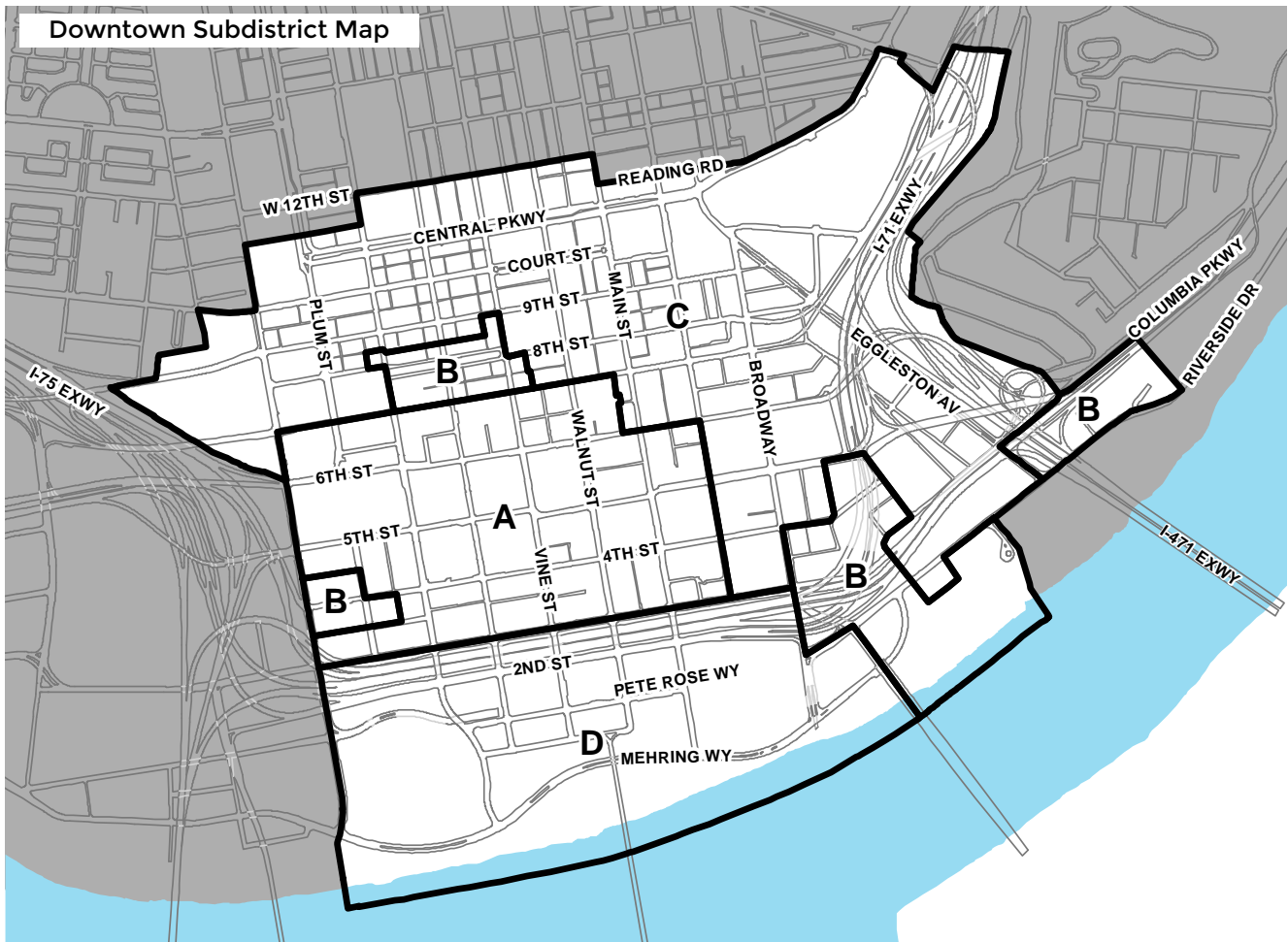
#### C. DD-C Downtown Support

Subdistrict C, Downtown Support, is intended to maintain and enhance the Downtown Development District by providing sites for offices, residential, commercial and public and semi-public uses essential for the livelihood of businesses and neighborhoods located in Cincinnati and residents living in the downtown area. Subdistrict C permits a mix of professional and governmental offices, residential, commercial, public, semi-public and limited industrial uses.

#### D. DD-D Riverfront

Subdistrict D, Riverfront, is intended to enhance the downtown area by providing sites for commercial recreation, hotel, retail and office space and housing in an urban neighborhood along the Riverfront.

## Sec. 1703-7. Downtown Districts



## Sec. 1703-7. Downtown Districts

### 1703-7.3. Development Regulations

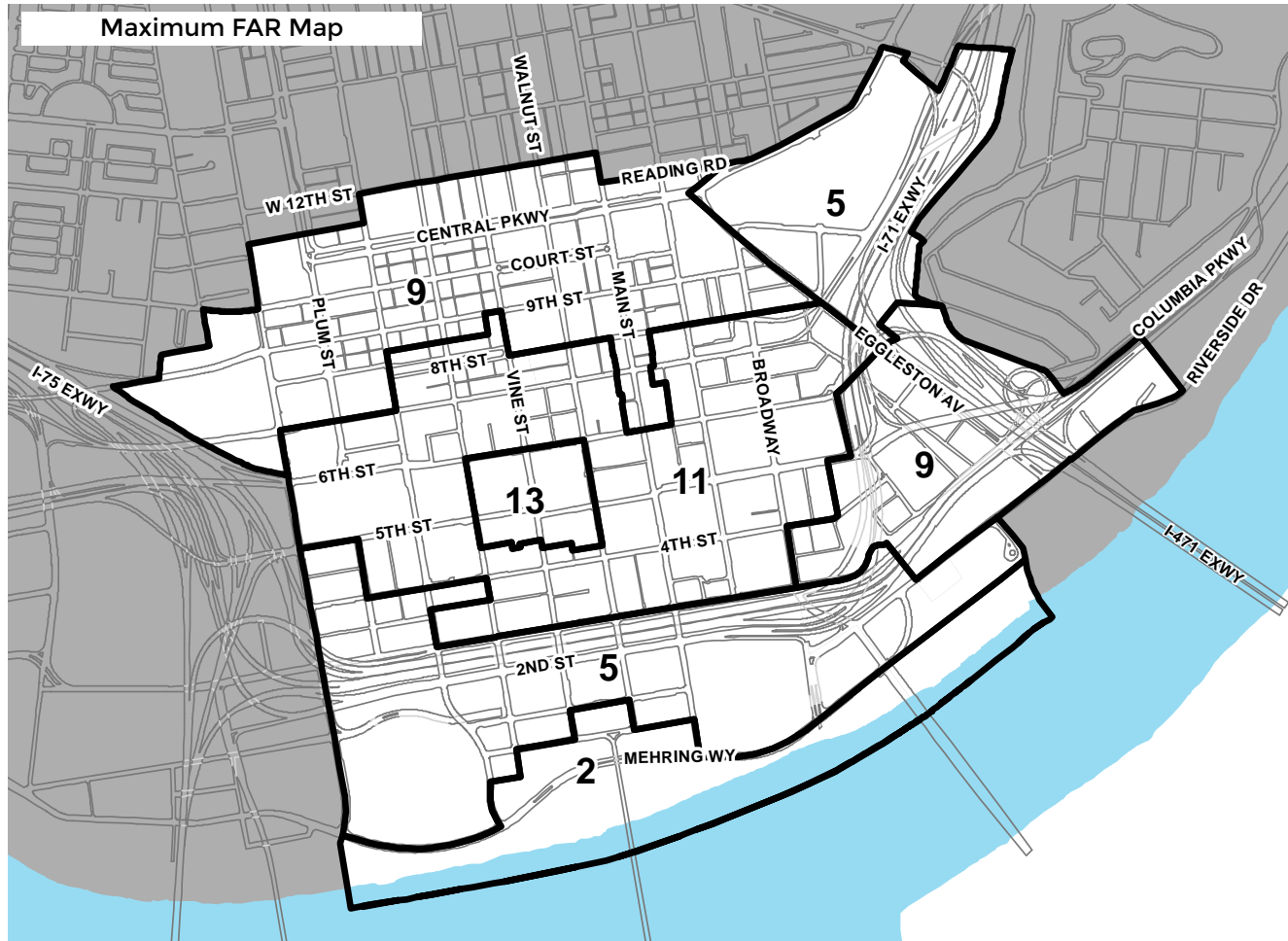
The table below summarizes the development regulations for the DD Downtown Development Districts, including lot area, FAR, height, setback and building coverage.

Regulations	DD-A	DD-B	DD-C	DD-D	Additional Regulations
Building Scale-Intensity of Use					
Floor Area Ratio (FAR)	See Floor Area Ratio (FAR) Map				Sec. 1703-7.4
Required Residential Uses	No	Yes	No	Yes	Sec. 1703-7.5
Building Form and Location					
Maximum Building Height	See Height Map				Sec. 1703-7.6
Minimum Facade Height	40'	40'	40'	40'	Sec. 1703-7.7
Minimum Yard	See Overlay Map				Sec. 1703-7.7
Pedestrian Orientation					
Commercial Continuity	See Commercial Continuity Map				Sec. 1703-7.8
Ground Floor Transparency	60%	60%	60%	60%	Sec. 1703-7.10
Vehicle Accommodation - Parking and Loading					
Required Parking	See Parking Map				Sec. 1703-7.11
Location of Parking	Yes	Yes	Yes	Yes	Sec. 1703-7.12
Lot and Structure Design	Yes	Yes	Yes	Yes	Sec. 1703-7.15
Loading	Yes	Yes	Yes	Yes	Sec. 1703-7.18
Other Standards					
Allowed-Permitted uses					Sec. 1703-9
Landscaping and buffering					Sec. 1711-2
Nonconformities					Sec. 1752-7
Parking					Sec. 1711-1
Outdoor storage and display					Sec. 1711-5
Rules of measurement					Sec. 1703-10
Signs					Sec. 1711-3
Site lighting					Sec. 1711-4
Use standards					Sec. 1703-9



### 1703-7.4. Floor Area Ratio (FAR)

Floor Area Ratio (FAR) in all DD Subdistricts varies according to the map below. A building may not exceed the FAR for its location as shown on the map below.



For purposes of this section, building gross floor area is the sum of the individual gross floor area of every story of the building provided:

- A. Any underground story is disregarded. A story is deemed underground if its floor level is more than 3 feet 6 inches below the average street grade at the exterior walls of the building. For the Banks, the grade is street grade.
- B. If the first story (other than an underground story) of a building is more than 25 feet in height, its individual gross floor area is added to the base building gross floor area as many times as its average height is divisible by 25 feet, rounded to the next highest whole number. For example, if the average height of a first story is 36 feet, the individual gross floor area of the first story is added twice in the calculation of the building gross floor area.
- C. If an upper story of a building (other than a story exclusively devoted to heating, ventilating, air conditioning, elevators or other building service equipment) is more than 15 feet in height, its individual gross floor area is added to the building gross floor area as many times as its average height is divisible by 15 feet, rounded to the next highest whole number.

### 1703-7.5. Required Residential Uses

- A. In DD-B, every new building, other than parking garages subject to design review pursuant to Sec. 1703-7.16 or hotels, must have at least 50% of its building gross floor area devoted to residential dwellings.
- B. In DD-D, every new building must have at least 25% of its building gross floor area devoted to residential dwellings. Provided, however, a building that has at least 75% of its building gross floor area devoted to parking, museums or sports facilities and is subject to design review and approval by the City Manager pursuant to an agreement between the city and the property owner or is being built in accordance with a site master plan approved pursuant to Sec. 1703-7.22 is exempt from this requirement. Further, the Zoning Hearing Examiner may, following the procedures specified for the granting of variances, grant such variances from this provision where the applicant demonstrates by clear and convincing evidence that it is not economically feasible to include residential dwellings within the building, that denial of this variance would deny the owner an economic return on investment for the total project and that the grant would be consistent with standards set forth in Sec. 1751-2.

### 1703-7.6. Maximum Building Height

Maximum building height in all DD Subdistricts varies according to the Maximum Building Height Map. Projections above the maximum height limit are permitted, as prescribed in Sec. 1703-7.11.8. A building may not exceed the maximum building height for its location as shown on the Maximum Building Height Map.

### 1703-7.7. Minimum Facade Height

In locations indicated on the Zero Setback Map every building must be built with a facade at least 40 feet in height and abut the public right-of-way along the indicated locations. Provided, however:

#### A. Rowhouses Attached Dwellings

Rowhouses Attached Dwellings may have a front yard up to 10 feet deep.

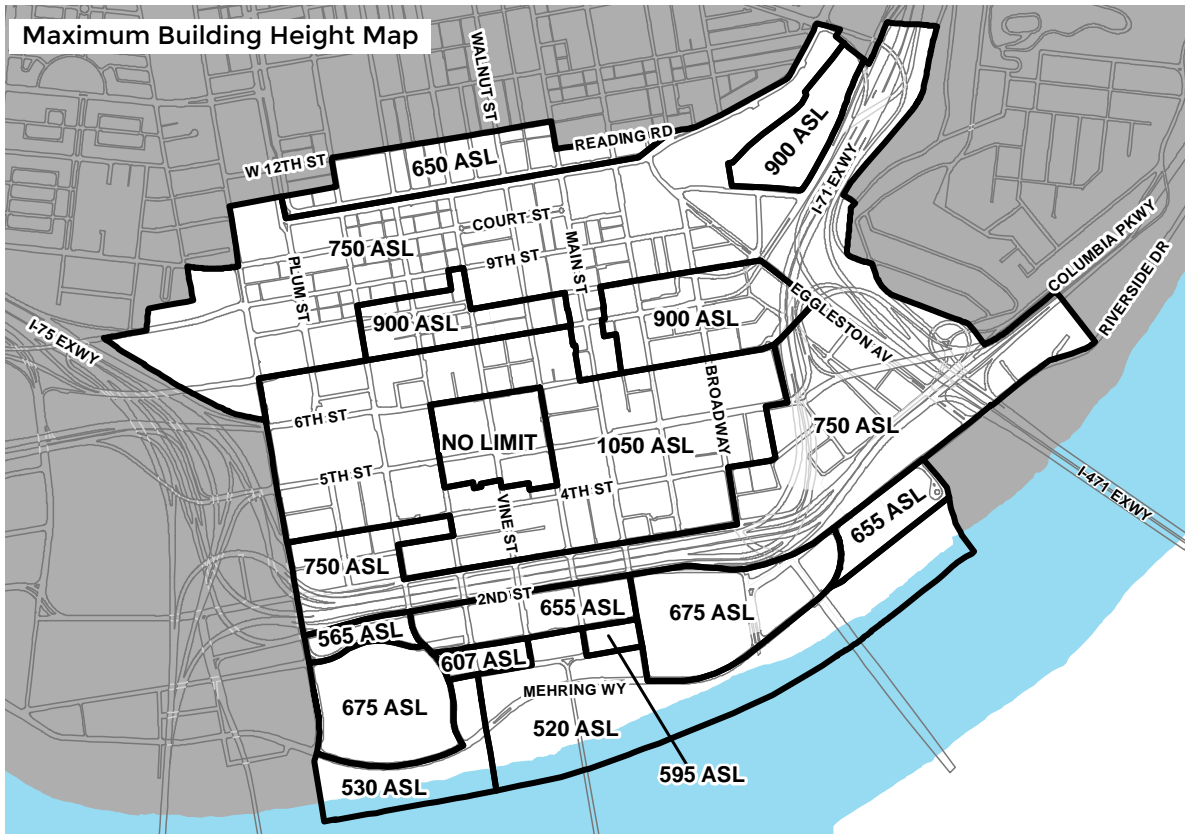
#### B. Recessed Entrances

A building may be served by a recessed major entrance provided:

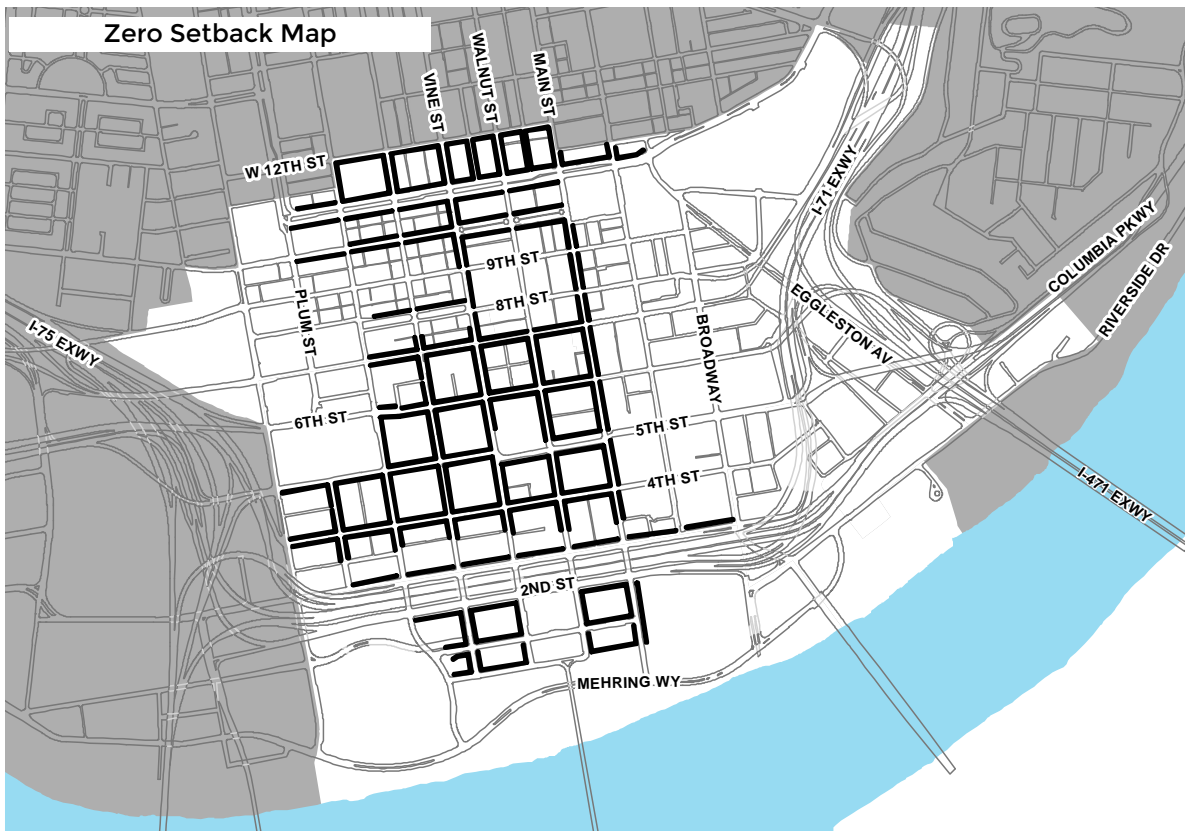
1. The entrance width does not exceed 10% of the building facade length fronting on the right-of-way;
2. The entrance depth does not exceed the entrance width; and
3. The entrance height does not exceed 25 feet.

## Sec. 1703-7. Downtown Districts

Maximum Building Height Map



Zero Setback Map



## Sec. 1703-7. Downtown Districts

### 1703-7.8. Commercial Continuity

In locations indicated on the Commercial Continuity Map at least 60% of first-floor building frontage be devoted to commercial uses. Further, floor areas closest in elevation to and within 12 feet of adjoining walkway or atrium frontages must be devoted to lobbies.

### 1703-7.9. Skywalk Overlay

The Skywalk Map shows the existing skywalk system as well as locations for extensions.

### 1703-7.10. Ground Floor Transparency

- A. In order to enhance the image of activity within the DD District and thereby contribute to pedestrian activity and security, at least 60% of interior facades along the skywalk and exterior facades abutting a sidewalk indicated on the Commercial Continuity Map must be transparent.
- B. For purposes of this section, transparent means open or enclosed by clear and non-reflecting glass or other material between the height of two feet and ten feet above the walkway grade that provides pedestrians on adjacent sidewalks an unobstructed view extending at least 2 feet into the building interior.

### 1703-7.11. Required Parking Spaces

- A. Parking requirements in all DD Subdistricts varies according to the Parking Map.
- B. Parking is required for the construction of new buildings. Parking is not required for the conversion, renovation or change in use of an existing building, provided any increase in gross floor area may not exceed ~~10~~25%.
- C. Parking is not required for any use within an Urban Parking Overlay District established according to Section ~~1425-031711-1.2.B.2.~~
- D. Parking is not required for up to 20 residential dwelling units per building. Where 4 or more parking spaces are required, any space that requires

the movement of another vehicle to gain access to or from the space is not credited toward the requirement. The table below prescribes the parking requirements for residential and office uses in the Downtown Development District.

Use	Parking Subdistrict			
	W	X	Y	Z
Residential Uses (space/dwelling unit)	First 20 dwelling units: 0 Per dwelling unit above 20: 0.75			
Office Uses (1 space/square feet)	1,200	1,000	750	750

### 1703-7.12. Location of Parking

The location of parking in all DD Subdistricts varies according to the Parking Map. Parking in each parking subdistrict may also vary by type as prescribed below:

Parking Type	Parking Subdistrict			
	W	X	Y	Z
Accessory Surface Parking	No	Yes	Yes	Yes
Public Surface Parking	No	No	Yes	Yes
Parking Garage	Yes	Yes	Yes	Yes

### 1703-7.13. Accessory Surface Parking

Accessory surface parking must be located within 200 feet of the building that it is intended to serve and must be for the exclusive use of the occupants and visitors of that building.

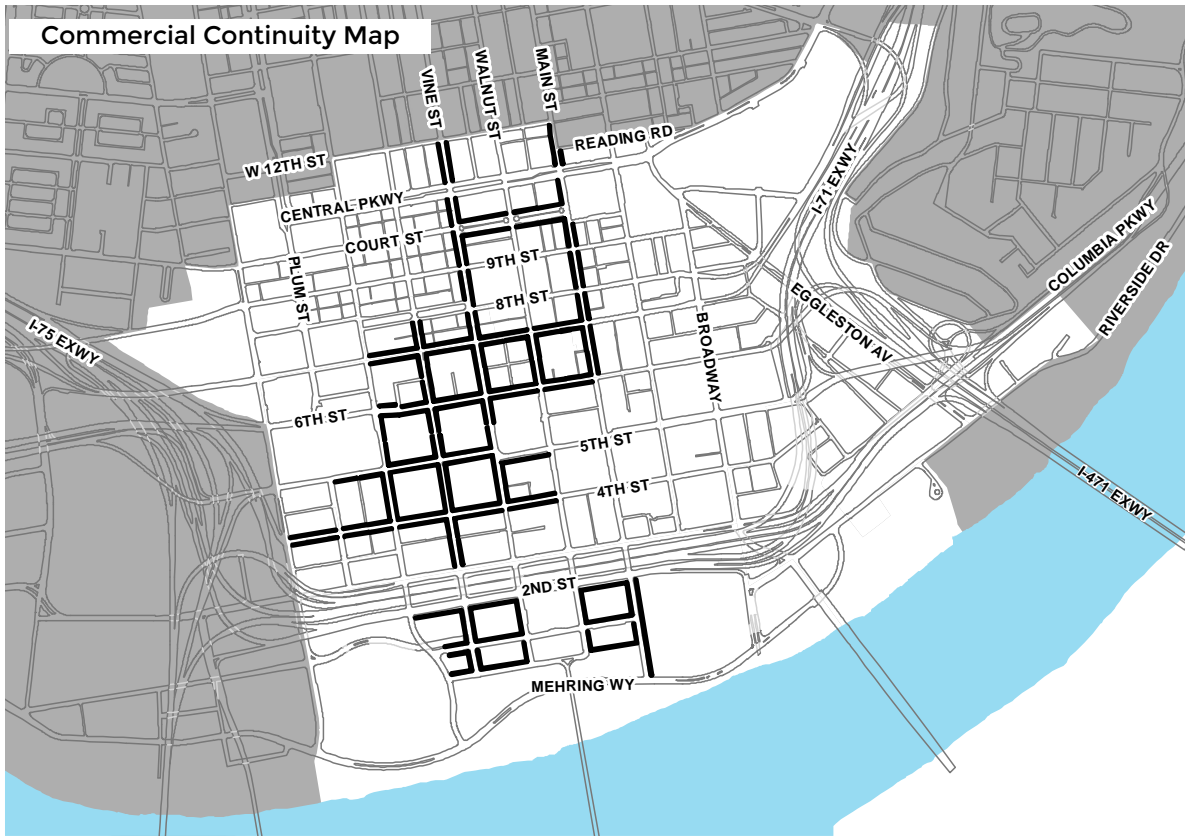
### 1703-7.14. Off-Site Parking

Required parking may be provided on-site or by securing or constructing parking spaces off-site within Parking Subdistricts W, X or Y, provided that no more than 25% of the required spaces are provided off-site. Off-site parking spaces must be for the exclusive use of the occupants and visitors of the development for which they are being provided. The property on which the off-site parking spaces are located may be under different

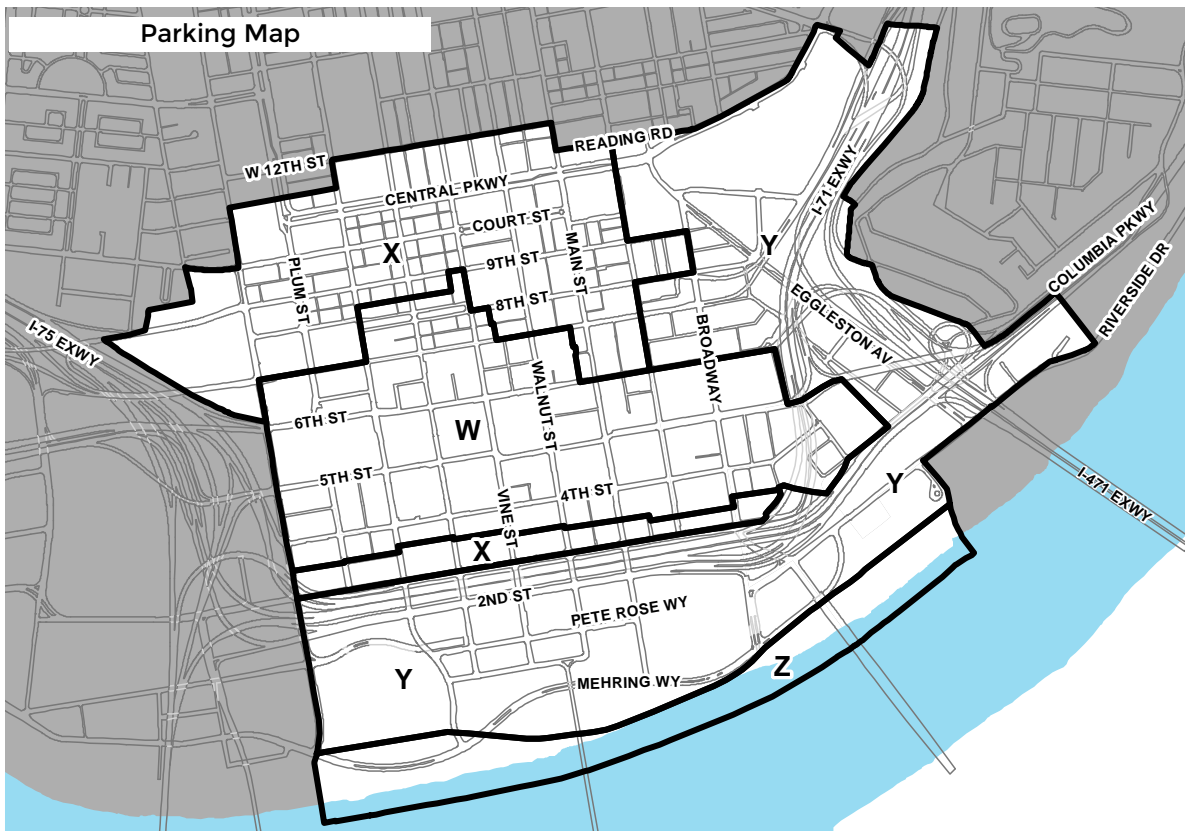


## Sec. 1703-7. Downtown Districts

Commercial Continuity Map



Parking Map





## Sec. 1703-7. Downtown Districts

ownership, provided the owner covenants to the city that the site parking spaces are for the exclusive use of the occupants and visitors of the development for which they are being provided. This covenant may be released only if all parking spaces released are replaced by other new spaces subject to a like covenant or the development no longer requires the parking spaces.

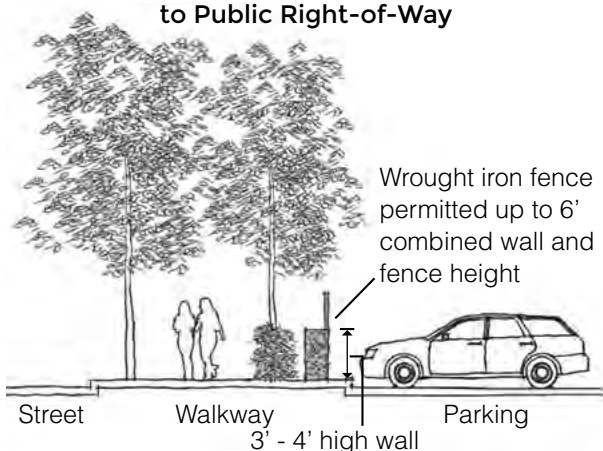
### 1703-7.15. Lot and Structure Design

All portions of the perimeter of a surface parking lot that abut a public right-of-way, other than approved entrances and exits, must have a solid concrete or masonry wall or wrought iron fence between 3 and 4 feet in height, adjacent to any public right-of-way as illustrated in below A wrought iron fence may be up to 6 feet in height or constructed on top of the wall for a combined wall and fence height of up to 6 feet. Any deviation from the fencing requirements may only be permitted if approved pursuant to Sec. 1751-2.

#### Example of Screening Surface Parking



Screening Surface Parking Lots Adjacent to Public Right-of-Way

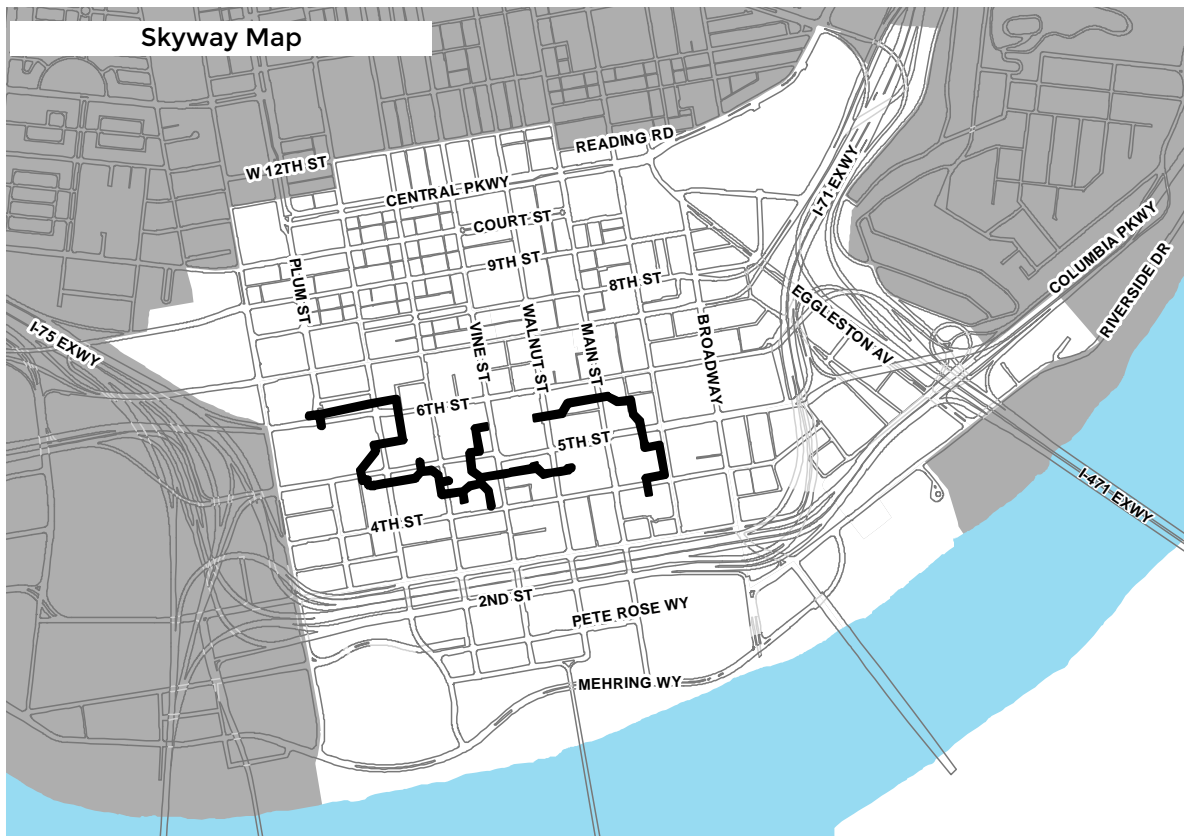


### 1703-7.16. Design Review of Parking Garages

A building having more than 100 above-street-grade parking spaces and devoting more than one-half its above-street-grade gross floor area to parking may not be constructed in Parking Subdistrict W or X unless the design of the building is reviewed and approved under Sec. 1751-2 or by the Zoning Hearing Examiner. The following guidelines apply to parking garage facades facing any right-of-way greater than 50 feet in width or the skywalk:

- A. Parked cars must be screened from public view from every adjacent public way greater than 50 feet in width.
- B. Garage entrances and exits must be designed and located so as to minimize hazards to pedestrians.
- C. Facades must contain openings that, in their scale, size and placement, are compatible with the same qualities of openings in surrounding buildings.
- D. Facades must contain articulations to achieve a sense of scale, rhythm and texture.
- E. The facade of the ground-level floor must be differentiated from upper floors to establish the appearance of a base to the building. By way of example, this differentiation can be achieved through the use of several of the following techniques:
  - F. A taller ground floor.
  - G. A change in color.
  - H. A change in material
  - I. A change in detailing.
  - J. Banding at the top of the ground floor.
  - K. Other architectural means.
- L. The design of facades may not reveal or imply sloping floor levels that may be behind the facade.

## Sec. 1703-7. Downtown Districts

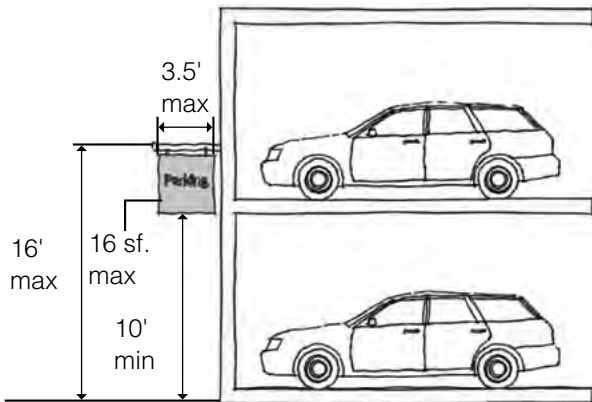


- M. Facades must be compatible with the design, materials and overall character of surrounding buildings with regard to the scale, color and texture of materials, form, massing and design detailing.

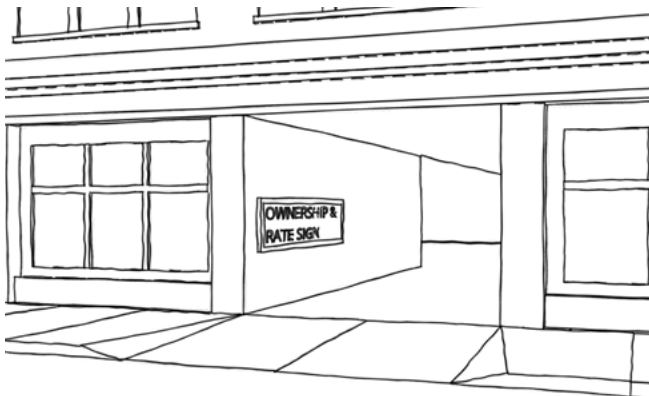
### 1703-7.17. Parking Signs

Signage in parking lots and garages must comply with the following:

- A. Parking Identification Signs.** Parking identification signs may be erected at every entrance and may be internally illuminated, provided the area of any sign face may not exceed 16 square feet. For parking lots, signs may be erected as a ground or wall sign. For parking garages, signs may be erected as a wall sign or projecting sign. The height of any sign may be no less than ten feet above street grade and may not exceed 16 feet above street grade. The maximum width of a projecting parking identification sign may not exceed 3.5 feet.



- B. Parking Ownership and Rate Sign.** Public ownership and rate signs may be erected as a wall sign or be affixed to the fencing required by Sec. 1703-7.15. The copy must be as required by Chapter 413, Parking Garages and Parking Lots, of the Municipal Code.



- C. Parking Entrance/Exit Signs.** Parking entrance/exit signs may be erected at every entrance or exit. A parking entrance/exit sign may not exceed 8 square feet in face area.

### 1703-7.18. Loading Requirements

Loading spaces must be provided pursuant to Sec. 1711-1.9. Loading Spaces within Parking Subdistrict W or X must be entirely enclosed.

### 1703-7.19. Signs

Signs located in any DD subdistrict must comply with the following regulations, [1711-3 Signs](#), and with Chapter 718, Revocable Street Privileges, of the Municipal Code. Every sign erected, constructed, painted or maintained for which a permit is required, must be plainly marked with the name of the person erecting, painting and maintaining such sign, and must have affixed the number corresponding to the permit issued for the sign. The absence of a reference to a permit number is prima facie evidence that the sign or advertising structure is being displayed in violation of this section.

#### A. Prohibited Signs

The following signs are prohibited in the DD District:

1. Outdoor advertising signs.
2. Flashing signs, unless a marquee sign as provided below.
3. Portable signs.

#### B. Projecting Signs

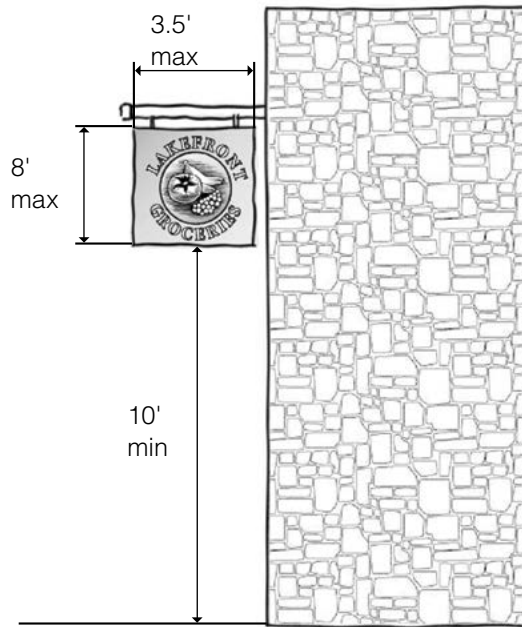
Projecting signs must comply with the following unless located in a Historic District and approved by the Historic Conservation Board:

1. Location: Below the third story of a building and extend from the building facade.
2. Maximum Width: 3.5 feet.
3. Maximum Height: 8 feet.
4. Required Clearance: A ten-foot clearance above the sidewalk must be maintained.

## Sec. 1703-7. Downtown Districts

- Lighting must be integrated with the sign design and must complement the building.
- Signs may not conceal any ornamental architectural elements.
- A revocable street privilege is required for signs projecting into the public right-of-way.

### Projecting Signs in DD Subdistricts



### C. Street-Level Wall Signs

Street-level wall signs must comply with the following:

- Maximum Width: contained within the horizontal limits of the business premises.
- Maximum Height: 3.5 feet.
- Maximum Display Area: 1-square foot for each one-foot of business frontage on the street to be faced by the sign.
- Awning signs are considered street level wall signs. Awning signs may not exceed 12 square feet of total surface area and letters may not exceed 12 inches in height.
- The sign may not conceal any ornamental architectural elements and may not project above a parapet.
- Signs painted on buildings and structures are deemed street-level wall signs.

### D. Skywalk-Level Wall Signs

Skywalk-level signs must comply with the following:

- Maximum Width: contained within the horizontal limits of the business premises.
- Maximum Height: 2 feet.
- Maximum Area: 30 square feet or 0.5-square feet for each foot of business frontage on the skywalk to be faced by the sign, whichever is more restrictive.

### Wall Signs in DD Subdistricts



### E. Ground Signs

Ground signs must comply with the following:

1. Applicability: A building setback from the public right-of-way by more than 25 feet may be served by one ground sign; otherwise, a ground sign is not permitted.
2. Maximum Height: 16 feet.
3. Maximum Area: 60 square feet or one-half square foot for each front foot of the building.

### F. Building Identification Signs

Building identification signs must comply with the following:

1. One trademark or building identification sign ~~identifying the principal occupant as determined by the building owner of a building~~ is ~~allowed~~ permitted for each building facade, with a maximum of four signs for the building.
2. The trademark or the letters comprising the occupant name must be affixed directly to the building facade.
3. The building facade underlying the trademark or name may not be painted or otherwise differentiated from the remainder of the building facade merely to draw attention to the sign.
4. The top of the sign may not project above the parapet, nor may the parapet be enlarged to accommodate a sign.
5. The sign may be illuminated, but may not be a flashing sign.
6. The maximum size of the sign cannot exceed the width of the wall on which the sign is attached multiplied by one foot for each 30 feet the top of the sign is located above street grade or 1,800 square feet,

whichever is less. For example, a sign whose top is 400 feet above street grade is proposed to be located on a wall that is 150 feet in width where the sign is to be located. The maximum size equals the lesser of  $13 \times 150 = 1,950$  and 1,800. The maximum size is 1,800.

### G. Marquee Signs

Marquee signs must comply with the following:

1. The sign must be accessory to a large-scale recreation and entertainment use, hotels or convention center.
2. The sign may not be attached to a roof structure and must be integrated architecturally into the primary structure.
3. The sign may contain copy or other images announcing on-premise events only.
4. The copy may be permitted to flash, move or otherwise change at intervals of more than one each six seconds.
5. The size and design of a marquee is subject to review and approval of the Director ~~of Buildings and Inspections~~ prior to issuance of a building permit.
6. A revocable street privilege is required for any marquee sign that extends into the public right-of-way.

### H. Murals

Murals are regarded as a work of art and must demonstrate an artistic quality or theme as opposed to direct or indirect illustrative advertising. Murals must comply with the following:

1. Advertising copy and trademarks are prohibited.
2. One mural on one wall for every building.
3. Subdivision Real Estate or Construction Signs. Subdivision real estate and construction signs must comply with the following:



## Sec. 1703-7. Downtown Districts

- a. A maximum of one sign for every street frontage.
  - b. Total Surface Area: 64 square feet.
  - c. Temporary signs must be removed within 24 hours of the completion of the activity.
4. Temporary Message Sign (including banners). Temporary message signs must comply with the following:
  - a. Be made of cloth or other light fabric.
  - b. May not exceed 12 feet in any of its dimensions.
  - c. The message must pertain only to the business, commodity, service or entertainment conducted, sold or offered on the same premises as where the sign is maintained.
  - d. Temporary message signs may be installed for a period not to exceed 30 days for a maximum of four times for every calendar year with at least 7 days between installations.
  - e. Temporary message signs may not cover any building openings such as windows and doors.

### 1703-7.20. Additional Floor Area for Historic Conservation or Residential Development

A Conditional Use may be approved allowing additional floor area beyond that ~~allowed~~ permitted by Sec. 1703-7.4, for projects receiving a Historic Conservation Bonus or Residential Gross Floor Area Bonus. In no case may additional floor area be granted such that the maximum building heights prescribed by Sec. 1703-7.6, are exceeded.

#### A. Historic Conservation Bonus

1. Under the City's Historic Easement Program, the owner of a building that is listed on the National Register of Historic Places and is located in any

DD subdistrict may donate an easement in return for a Certificate of Transferable Bonus Gross Floor Area, provided the easement is accepted by the Historic Conservation Board. This one-time certificate is issued by the Urban Conservator, who has the duty to maintain a record of the issued certificate, including the owner, the gross floor area available for transfer and the gross floor area actually transferred.

2. All bonus gross floor area available under the easement may be transferred, provided the gross floor area does not exceed the maximum building heights prescribed by Sec. 1703-7.6. Certificates of Transferable Bonus Gross Floor Area may be transferred to and redeemed by anyone other than the original certificate holder.
3. Certificates to be redeemed must be tendered to the Urban Conservator prior to the issuance of permits for construction. On completion of construction, certificates are canceled and no certificate may be reissued, even if the building constructed pursuant to its redemption is demolished.

#### B. Residential Gross Floor Area Bonus

The residential gross floor area bonus equals the total interior floor area of a building that is exclusively devoted to residential purposes, provided the bonus gross floor area does not exceed 25% of the building gross floor area.

### 1703-7.21. Design Review of Publicly-Funded Parking Garages

Publicly-funded parking garages are subject to the following review:

#### A. Design Review Responsibility

1. On receipt of an application for a publicly-funded downtown parking garage, the City Manager, who has the duty to appoint the person or persons responsible for design review, may by contract retain a person

## Sec. 1703-7. Downtown Districts

prominent in the field of design of urban projects of scale similar to the proposed development to be responsible for design review.

2. The application must be available, as it may be revised, for public inspection. Those responsible for design review may meet periodically with the applicant in a public, informal conference to discuss the building design.

### B. Design Review Determination

The person or persons responsible for design review has the duty to approve the proposed work if it conforms with the Comprehensive Plan or other applicable urban renewal plan, any otherwise applicable guidelines, laws, ordinances, regulations and variances granted for the work pursuant to Sec. 1751-2 and is in the public interest.

1. The work may be approved subject to conditions as necessary to ensure that the work is lawful, appropriate to its site and the surrounding area and in the public interest. Otherwise, the work must be disapproved.
2. If the work is disapproved the reasons therefore must be stated in writing as findings of fact and conclusions of law.
3. In determining whether the work is in the public interest, the decision-making authority has the duty to consider those factors listed in Sec. 1703-7.16 and Sec. 1751-4 that are relevant to the work and apply them in light of their professional training and experience. The failure of the proposed work to conform to any single factor or guideline is not necessarily a sufficient basis for denial. The decision-making authority has the duty to approve work that maximizes both the public interest and private benefits.

### C. Appeals

Any adversely affected applicant may appeal a decision made pursuant to paragraph B above to the City Manager. The City Manager has the duty to conduct a public hearing on the appeal and affirm, modify or reverse the decision in conformity with the provisions of this Section. The decision of the City Manager is final, subject to appeal as provided by law.

### Phased Developments

- D. ~~Where the owner of a lot or lots in the DD District intends to phase the development by first erecting one building and then enlarging that building or erecting one or more additional buildings or both, the owner must, prior to commencing development of the site, file a site master plan with the Zoning Hearing Examiner.~~
- E. ~~The site master plan must be a schematic of the intended development of the entire site showing the locations, uses, heights and gross floor areas of every building. The master plan must contain such other information as necessary to determine whether the intended development conforms to the requirements of this LDC.~~
- F. ~~If the development is required to devote gross floor area to residential dwellings of Sec. 1703-7.5, compliance with the residential dwelling requirement need not be demonstrated at every phase of the development, but only after completion of all phases of the development. Further, the applicant may be required to demonstrate that completion of all phases is a commercially reasonable exception.~~
- G. ~~The master plan may be amended from time to time, provided any amended master plan be filed with the Zoning Hearing Examiner. Compliance with the~~

~~DD District Regulations must be determined each time a permit for construction of a new building or enlargement of an existing building is made.~~

- H. ~~The site may be further subdivided and title to the various parcels held by different owners, provided that appropriate deed restrictions, covenants and easements be provided as determined to be necessary by the Zoning Hearing Examiner to ensure that the arrangement of building density and public amenities used to calculate allowable gross floor area are maintained for as long as any building erected on the site pursuant to this provision remains.~~

### 1703-7.22. Demolition

- A. Except in cases of public emergency, no permit for the demolition of any building in the DD District shall be issued unless an application for a building permit for work to replace the building to be demolished has been filed with the Director ~~of Buildings and Inspections~~. Provided, however, the applicant may instead post a bond with the Director ~~of Buildings and Inspections~~ to secure compliance with Sec. 1703-7.25-24.
- B. The bond shall be in the amount equal to \$10 per square foot of the area of the lot on which the building to be demolished is located.

### 1703-7.23. Maintenance of Vacant Lots

Every owner of any vacant lot within the DD District has the duty to keep the lot clean, free from garbage, litter, standing water, debris, parked motor vehicles other than those parked in a lawfully existing parking or loading facility and all things causing the property to be detrimental to the public health, safety, welfare or to the aesthetics of the DD District or properties in the vicinity.

### 1703-7.24. Landscaping

- A. Any lot within the DD District kept vacant for more than 180 days following the demolition of any buildings thereon shall be landscaped and thereafter maintained in good order. Landscaping shall be in accordance with a plan approved by the hearing examiner following the procedures and standards set forth in Sec. 1751-4.
- B. The landscaping shall be appropriate to an urban park or garden. The lot shall be fenced as appropriate for public safety and aesthetics. All plant material shown on the approved plan shall be watered, fertilized, pruned, kept free from weeds and litter and replaced if diseased, injured or dead, consistent with good horticultural practices. Such lots shall not be used for storage.

# Sec. 1703-8. Planned Development Districts

## 1703-8.1. Specific Purposes

In addition to the general purposes listed in Chapter 1701, the specific purposes of the PD Planned Development District are to:

- A.** Establish a procedure for the development of land in order to allow for a more efficient and economic development of property than ordinarily permitted by conventional zoning and subdivision regulations.
- B.** Ensure orderly and thorough planning and review procedures that lead to quality design and development.
- C.** Encourage creativity in developments by allowing greater flexibility in access, light, open space and amenities.
- D.** Encourage common open space and provide for its maintenance.
- E.** Encourage the coordinated development of properties that might otherwise be developed individually, which may be a detriment to the surrounding neighborhoods and the developer.

## 1703-8.2. Land Use Regulations

Any use authorized by this LDC may be permitted in any specific PD District and located and conducted in accordance with the applicable regulations adopted pursuant to this Section to govern each specific PD District.

## 1703-8.3. Basic Requirements

PD Districts and development within PD Districts must comply with the following:

### A. Minimum Area

The minimum area of a PD District is 2 contiguous acres. Council may approve a PD District that contains less than the minimum acreage required for an area on an affirmative recommendation of the City Planning Commission, finding that special site characteristics exist and the proposed land uses justify development of the property as a PD.

### B. Ownership

Evidence that the applicant has sufficient control over the tract of land to effect the proposed plan, including a list of all ownership and beneficial interests in the tract of land and the proposed development.

### C. Multiple Buildings on a Lot

More than one building is permitted on a lot.

### D. Landmarks and Districts

Whenever a Planned Development application is filed for a property wholly or partially located within a historic landmark, historic district or involving a historic structure, the Historic Conservation Board shall advise the City Planning Commission relating to approval of the Final Development Plan

### E. Hillside Overlay Districts

Whenever a Planned Development application is filed for a property wholly or partially located within a Hillside Overlay District, the City Planning Commission shall approve the Final Development Plan.

### F. Urban Design Overlay Districts

Whenever a Planned Development Urban Design Overlay application is filed for a property wholly or partially located within an Urban Design Overlay District, the City Planning Commission shall approve the Final Development Plan.

## 1703-8.4. Establishment of Districts

- A.** PD districts may be established, modified or removed from the zoning map and the regulations applicable to any specific PD District may be established, modified or deleted as an amendment to the zoning map.
- B.** A PD District is identified on the zoning map with the letter coding "PD" followed by a specific reference number identifying each separate district.

## Sec. 1703-8. Planned Development Districts

- C. All use regulations, Planned Development Plans, development schedules and other regulatory provisions adopted pursuant to this Section that apply to any specific PD District, are part of the LDC as if fully set forth in the LDC and identified by reference to the corresponding designation of each specific PD District on the zoning map.

### 1703-8.5. Concept Plan and Development Program Statement

- A. A petition to rezone property to a PD District must have a concept plan and development program statement included.
- B. The purpose of the concept plan and development program statement is to describe the proposed use or uses to be conducted in the PD District, including regulations governing permitted uses, conditional uses, site use and development, off-street parking and loading requirements and other special regulations that may be appropriate to govern development, use and maintenance of the site or sites included within the PD District.
- C. Applicants are encouraged to engage in informal consultations with the Department of Community Development and Planning staff prior to preparing plans; however, no statement or representation by staff is binding on either the department or the City Planning Commission. The concept plan and development program statement must include a text and diagram or diagrams that specify:

#### 1. Plan Elements

A survey of the tract to be developed, providing a metes and bounds description of the property and the survey of property lines and total acreage. Additionally, the plan should include the location in general terms, of land areas to be developed, including: type and description of proposed land uses, buildings and structures; street rights-of-way and driveways; parcel boundaries and proposed lots, including

set back lines; building heights; pedestrian circulation systems and open space or other facilities; and proposed topography, drainage, landscaping and buffer plantings.

#### 2. Ownership

Evidence that the applicant has sufficient control over the tract of land to effect the proposed plan, including a list of all ownership and beneficial interests in the tract of land and the proposed development.

#### 3. Schedule

Time schedule of projected development, if the total site is to be developed in phases or if construction is to extend beyond a two year time period.

#### 4. Preliminary Reviews

A preliminary review of geo-technical, sewage, water, drainage and refuse collection.

#### 5. Density and Open Space

Calculations of density and open space area.

#### 6. Other Information

Any other information requested by the Director of Community Development and Planning or the City Planning Commission.

### 1703-8.6. City Planning Commission and Council Action

The City Planning Commission has the duty to consider an application for reclassification to a PD District as an amendment to the zoning map and to consider at the same time the proposed concept plan and development program statement. A Commission recommendation to reclassify to a PD District must be accompanied by an approval or a conditional approval of a concept plan and a development program statement.



## Sec. 1703-8. Planned Development Districts

### A. City Planning Commission Action

The City Planning Commission may recommend approval or conditional approval, with restrictions on the establishment of a PD District as the Commission deems necessary for the protection of the public interest and to secure compliance with the development program statement, on finding that all of the following circumstances apply:

1. The PD concept plan and development program statement are consistent with applicable plans and policies and is compatible with surrounding development;
2. The PD concept plan and development program statement enhance the potential for superior urban design in comparison with the development under the base district regulations that would apply if the plan were not approved;
3. Deviations from the base district regulations applicable to the property at the time of the PD application are justified by compensating benefits of the PD concept plan and development program statement; and

### B. Council Action

Council has the duty to consider the recommendation of the City Planning Commission in the same manner as a proposal to amend the zone map.

### C. Lapse of Approvals

1. Approval of a concept plan and development program statement lapses two years from its effective date unless:
  - a. A final development plan has been approved, or
  - b. The City Planning Commission has approved an extension of time that may not exceed one year.

2. If an approval of a concept plan and development program lapses, the PD District designation is to be removed from the zoning map and the zoning of the PD District reverts to the zoning district designation in effect immediately before the PD designation.
3. The PD concept plan and development program statement includes adequate provisions for utility services, refuse collection, open space, landscaping, buffering, pedestrian circulation, traffic circulation, building design and building location.

### 1703-8.7. Amendment to a Planned Development Concept Plan

Concept Plans may be amended as follows:

#### A. Minor Amendments

The Director of City Planning may approve minor amendments provided that they do not change building heights by more than ten percent, floor area by more than five percent, decrease parking spaces by more than ten percent or allow buildings or accessory uses closer to the perimeter property lines.

#### B. Major Amendments

Amendments to any Concept Plan other than a minor amendment must be approved by the City Planning Commission. Amendments that change the uses ~~allowed-permitted~~ or change the density of the development by more than ten percent require approval of the City Planning Commission and Council as a zoning map amendment.

### 1703-8.8. Final Development Plan

Following approval of a PD District with a concept plan and development program statement, a final development plan must be submitted to the City Planning Commission. A final development plan must be filed for any portion of an approved concept plan that the applicant wishes to develop and this plan has to

## Sec. 1703-8. Planned Development Districts

conform substantially to the approved concept plan and Development Program Statement. The final development plan must include in text and map form:

### A. Survey

Plan or survey of the parcel to be developed showing existing and proposed physical features, including: topography, drainage, open space areas and landscaping; and streets, easements and utility lines.

### B. Site Plan

A site plan showing the location and arrangement of all existing and proposed structures, including building pads, the proposed internal and external traffic circulation pattern, the areas to be developed for parking, the relationship of abutting land uses and zoning districts, proposed lot lines, building setbacks, proposed sidewalks and pedestrian walkways and proposed public or common open space or other public facilities.

### C. Engineering Plans

Engineering plans, including: site grading; street improvements; drainage and utility improvements and extensions as necessary.

### D. Open Space

A statement of the anticipated open space, gross density and net density.

### E. Schematic Building Plans

Plans showing building footprints, schematic floor plans and exterior elevations and types of building materials.

### F. Landscape Plans

Landscaping plans showing the placement of trees, shrubs, ground cover and associated structures and improvements, including specifications, species and quantities.

### G. Phase Schedule

A schedule for the development of such phases must be submitted when a development is to be constructed in phases.

### H. Ownership

Evidence that the applicant has sufficient control over the tract to effect the proposed plan, including a list of all ownership and beneficial interests in the tract of land and the proposed development.

### I. Statement of Uses

A statement identifying the principal uses that are to be included in the proposed development.

### J. Future Ownership and Control

Statement on the present and future ownership and control of the development delineating responsibilities of maintenance and upkeep of the buildings, streets, drives, parking areas, utilities, common areas and common facilities.

### K. Restrictive Covenants

Copies of any restrictive covenants that are to be recorded with respect to property included in the PD District.

### L. Other Information

Any other information requested by the Director or the City Planning Commission as deemed necessary.

## 1703-8.9. Planning Commission Approval of Final Development Plan

The City Planning Commission may approve a final development plan for a development in a PD District on consideration of the following:

### A. Consistency

The final development plan is consistent with the purpose of the Planned Development District Regulations;

## Sec. 1703-8. Planned Development Districts

### B. Adequate Streets

The existing and proposed internal and external streets are adequate to serve the proposed development and properly interconnect with the surrounding existing road network;

### C. Adequate Infrastructure

The proposed infrastructure, utilities and all other proposed facilities are adequate to serve the planned development and properly interconnect with existing public facilities;

### D. Covenant

1. The Department ~~of Buildings and Inspections~~ must require covenants by the owner of the property in a form acceptable to the City Solicitor to be recorded indicating that the open spaces, parking areas, walks and drives as shown on the plan may not be used for any other purpose.
2. The owner must further covenant that all streets, common areas, common utilities and other common facilities remain in common ownership by all owners of any interest in the land or buildings in the Planned Development other than a leasehold interest of less than five years. (Sec. 1751-1).

### E. Release of Covenants

The City Manager, on receipt of a recommendation from the Director of Building and Inspections, may recommend the covenant be terminated in the following instances: the particular use requiring a covenant is no longer necessary and the building permits have been terminated, or the condition or conditions requiring such covenant are no longer applicable.

### F. Compatibility

The proposed uses, location and arrangement of structures, lots, parking areas, walks, open spaces, landscaping, lighting and appurtenant facilities are compatible with the surrounding land uses;

### G. Sufficiency of Legal Documents

Proposed covenants, easements and other provisions meet development standards; and

### H. Sufficiency of Provisions for Maintenance of Common Areas

Open space and common areas are identified and provisions have been made for the care and maintenance of such areas.

### 1703-8.10. Concurrent Approval of Concept Plan, Development Program Statement and Final Development Plan

The City Planning Commission may review and approve the Concept Plan, Development Program Statement and the Final Development Plan concurrently, provided that the applicant meets the submission requirements of both the Concept Plan and the Final Development Plan. The Planning Commission's approval of the Final Development Plan is contingent on the applicant obtaining City Council's approval of the Planned Development map amendment without changes.

### 1703-8.11. Appeals

The City Planning Commission's approval or denial of a request for renewal, revision or approval of a final development plan is subject to appeal to the Zoning Board of Appeals pursuant to § ~~1751-7.1449-03 and § 1449-09~~

### 1703-8.12. Limitation on Final Plan Implementation

Final development plans are subject to the following:

#### A. Expiration

A final development plan is effective on the date approved by the City Planning Commission and expires after two years unless a building permit has been issued and construction diligently pursued. An approved final development plan may specify a development staging program exceeding 2 years.

#### B. Renewal

1. The City Planning Commission may renew a final development plan for one year subject to a reevaluation of conditions of approval as specified in the decision or renewal application, if it finds the renewal consistent with the purposes of this Section.
2. Application for renewal must be made in writing to the Director of Community Development and Planning not less than 30 days nor more than 120 days prior to expiration.

#### C. Reversion to Prior Zoning

If a building permit has not been issued and construction diligently pursued, or a renewal approved within two years of the effective date of approval by the City Planning Commission, the PD District designation is to be removed from the zoning map and the zoning of the PD District revert to the zoning district designation in effect immediately before the PD designation.

### 1703-8.13. Final Development Plan Amendments

Final development plans may be amended as follows:

#### A. Minor Amendments

1. The City Planning Commission may authorize minor adjustments in the final development plan that become necessary because of

field conditions, detailed engineering data, topography or critical design criteria. More specifically, the City Planning Commission may authorize the Community Development and Planning Director to approve these minor adjustments to revise size and location of drainage ways, sewers, roadways, retaining walls or similar features and to substitute landscape materials in light of technical or engineering considerations.

2. The Community Development and Planning Director may also authorize structural dimensional changes provided that they do not increase building heights by more than 15 feet, gross floor area by more than 5%, decrease the number of parking spaces by more than ten percent or allow buildings closer to perimeter property lines.

#### B. Major Amendments

1. Amendments to any final development plan other than a minor amendment may be approved only by the City Planning Commission, provided, however, that the City Planning Commission determines that such adjustments do not substantially alter the concept or intent of the approved final development plan.
2. Amendments that change the uses ~~allowed~~ **permitted** or materially change the density of the development require approval of Council as a zoning map amendment.

### 1703-8.14. Delegation of Duties

The Director may designate a person to perform the duties imposed on the director by this chapter if the Director would have a conflict of interest or appearance thereof or if such appointment is necessary for the efficient operation of the department.

## Sec. 1703-9. Allowed Permitted Uses & Use Standards

### 1703-9.1. Classification of **Allowed Permitted** Uses

- A. Permitted uses are listed in Sec. 1703-9.3. The following symbols are used, and have the meaning assigned below:

#### 1. Permitted Use (P)

Indicates a use is permitted in the respective district. The use is also subject to all other applicable requirements of this LDC.

#### 2. Limited Use (L)

Indicates a use is permitted in the respective district, subject to a use standard found ~~in the right-hand column of the~~ with a corresponding number after each use table. The use is also subject to all other applicable requirements of this LDC.

#### 3. Conditional Use (C)

Indicates a use may be permitted in the respective district only where approved ~~by~~ in accordance with Sec. 1751-2. Conditional uses are subject to all other applicable requirements of this LDC, including any applicable use standards.

#### 4. Use Not Permitted (--)

Indicates that a use is not permitted in the respective district.

- B. Uses not listed as permitted, ~~accessory limited~~ or conditional are prohibited from the applicable zoning district.

### 1703-9.2. Uses Not Listed

#### A. Generally

It is not possible for a list of permitted uses to capture every possible use that could be established. The City will occasionally receive an application for approval of a use that is not expressly listed in the use table.

#### B. Materially Similar Uses

1. If a particular use is not listed in the use table, the Director will determine if a proposed use is similar to a listed use.
2. If the Director determines that a proposed use is similar to a listed use, the regulations governing that use apply to the particular use not listed. The Director may consider the following in deciding whether a use is similar:
  - a. Whether the proposed use is consistent with the Comprehensive Plan and the zoning district purposes.
  - b. Whether the use has similar impacts on the neighborhood, such as traffic, noise, lighting, or similar considerations.
  - c. Whether the unlisted use has the same characteristics as a listed use in terms of building and site arrangement, site area or floor space, equipment devoted to the activity, customer type, number of employees in each activity, hours of operation, vehicles used and parking requirements, number of vehicle trips generated, signs, and how the use is advertised.
3. The Director may record a decision about whether a use is similar to an unlisted use in writing.
4. If the Director determines that a similar use does not exist, the applicant has the following options:
  - a. Request a text amendment to establish a specific listing for the use in question. Refer to the text amendment procedures in Chapter 111 of the Municipal Code. If the City Council declines to approve a text amendment, the use is not permitted.
  - b. Request a Use Variance (see §1708-4). If the use variance is approved, the use is treated as a permitted use. If it is denied, the use is prohibited.



## 1703-9.3. Allowed Residential Use Table & Use Standards

	SF-20	SF-10	SF-6	SF-4	SF-2	RM-L	RM-M	RM-H	RX	PX	NX	CX	CG	IX	IA	IH	RF-R	RF-C	RF-M	IR	PR	DD-A	DD-B	DD-C	DD-D
<b>Residential</b>																									
<b>Household Living:</b>																									
Single-family <del>detached</del> -dwelling	P	P	P	P	P	P	P	P	P	P	P	--	--	L <sup>1</sup>	P	--	P	--	--	P	--	P	P	P	P
<del>Single-family</del> -Dwelling, attached	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>3</sup>	P	--	L <sup>2</sup>	--	--	P	--	P	P	P	P
Two-family dwelling	--	--	--	--	--	P	P	P	P	P	P	--	--	L <sup>4</sup>	--	--	P	--	--	P	--	P	P	P	P
Three-family dwelling	--	--	--	--	--	P	P	P	P	P	P	P	--	L <sup>5</sup>	--	--	P	--	--	P	--	P	P	P	P
<del>Four-family</del> dwelling	--	--	--	--	--	P	P	P	P	P	P	P	--	L <sup>6</sup>	--	--	P	--	--	P	--	P	P	P	P
<del>Rowhouse</del> dwelling	--	--	--	--	--	P	P	P	P	P	P	P	P	L	--	--	P	--	--	P	--	P	P	P	P
Multi-family dwelling	--	--	--	--	--	--	P	P	P	P	P	P	P	L <sup>6</sup>	--	--	P	--	--	P	--	P	P	P	P
<del>Loft dwelling</del> Live/work unit	--	--	--	--	--	--	--	--	L <sup>8</sup>	L <sup>8</sup>	L <sup>8</sup>	L <sup>8</sup>	L <sup>8</sup>	L <sup>8</sup>	L <sup>8</sup>	C	--	L <sup>8</sup>	C	L <sup>7</sup>	--	L <sup>7</sup>	L <sup>7</sup>	L <sup>7</sup>	L <sup>7</sup>
<b>Group Living: Congre- gate Housing:</b>																									
Group residential, <del>congregate housing</del> - Student Dwelling	--	--	--	--	--	L <sup>9</sup>	L <sup>9</sup>	L <sup>9</sup>	L <sup>9</sup>	L <sup>9</sup>	L <sup>9</sup>	L <sup>9</sup>	L <sup>9</sup>	L <sup>9</sup>	L <sup>9</sup>	--	--	L <sup>9</sup>	--	L <sup>9</sup>	--	L <sup>9</sup>	L <sup>9</sup>	L <sup>9</sup>	L <sup>9</sup>
Group residential, <del>Convent and Monastery</del>	C	C	C	C	C	P	P	P	P	P	P	P	P	P	--	--	--	--	--	P	--	P	P	P	P
Group residential, Fraternity or Sorority House <del>dormitory</del>	--	--	--	--	--	--	P	P	P	P	P	P	P	--	--	--	--	--	--	P	--	P	P	P	P
<del>Dormitory</del>	--	--	--	--	--	--	P	P	P	P	P	P	P	--	--	--	--	--	--	P	--	P	P	P	P
Group residential, patient- family home	--	--	--	--	--	--	P	P	P	P	P	P	--	P	--	--	--	--	--	P	--	P	P	P	P
Group residential, <del>Rooming house</del>	--	--	--	--	--	--	--	L <sup>11</sup>	--	L <sup>11</sup>	L <sup>11</sup>	L <sup>11</sup>	--	L <sup>11</sup>	--	--	--	--	--	L <sup>10</sup>	--	L <sup>10</sup>	L <sup>10</sup>	L <sup>10</sup>	L <sup>10</sup>
Group residential, Shared Housing for Elderly	--	--	--	L <sup>12</sup>	L <sup>12</sup>	L <sup>12</sup>	L <sup>12</sup>	L <sup>12</sup>	P	P	P	P	--	P	P	--	--	--	--	P	--	P	P	P	P
<b>Medical Assistance Housing:</b>																									
Patient family home	--	--	--	--	--	--	P	P	P	P	P	P	--	P	--	--	--	--	--	P	--	P	P	P	P
Residential care facility, Assisted Living	--	--	--	--	--	C	C	P	P	P	P	P	P	P	--	--	--	--	--	P	--	--	P	P	--
Residential care facility, Life Care or Continuing Care Services <del>Residential Care Facility</del>	--	--	--	--	--	--	--	--	P	P	P	P	--	P	--	--	--	--	--	P	--	P	P	P	P
Residential care facility, Developmental Disability Dwelling	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--	--	--	--	P	--	P	P	P	P
Residential care facility, Nursing Home	--	--	--	--	--	C	C	P	P	P	P	P	P	P	--	--	--	--	--	P	--	--	P	P	--

Key: P = Permitted Use L = Limited Use C = Conditional Use -- = Use Not Permitted

	SF-20	SF-10	SF-6	SF-4	SF-2	RM-L	RM-M	RM-H	RX	PX	NX	CX	CG	IX	IA	IH	RF-R	RF-C	RF-M	IR	PR	DD-A	DD-B	DD-C	DD-D
Residential care facility, special assistance shelter	--	--	--	--	--	--	--	€	--	--	--	€	€	--	--	--	--	--	--	--	--	€	€	€	€
<b>Social Service Housing:</b>																									
<u>Special assistance shelter</u>	--	--	--	--	--	--	--	C	--	--	--	C	C	--	--	--	--	--	--	--	--	C	C	C	C
<u>Transitional supportive housing</u>	--	--	--	--	--	--	P	P	P	P	P	P	P	P	--	P	--	--	--	P	--	P	P	P	P
<u>Permanent supportive housing</u>	--	--	--	--	--	--	C	C	C	C	P	P	P	P	--	P	--	--	--	P	--	P	P	P	P
<u>Halfway house; Reentry center; Community residential center</u>	--	--	--	--	--	--	--	--	--	--	--	C	P	C	--	P	--	--	--	C	--	L <sup>13</sup>	L <sup>13</sup>	L <sup>13</sup>	L <sup>13</sup>
Social assistance, welfare, and charitable services	--	--	--	--	--	--	--	€	€	--	€	P	P	P	--	P	--	--	--	--	--	P	P	P	P
Transitional housing, Program 1	--	--	--	--	--	--	P	P	P	P	P	P	P	P	--	P	--	--	--	P	--	P	P	P	P
Transitional housing, program 2	--	--	--	--	--	--	P	P	P	P	P	P	P	P	--	P	--	--	--	P	--	P	P	P	P
Transitional housing, program 3	--	--	--	--	--	--	P	P	P	P	P	P	P	P	--	P	--	--	--	P	--	P	P	P	P
Transitional housing, program 4	--	--	--	--	--	--	P	P	P	P	P	P	P	P	--	P	--	--	--	P	--	P	P	P	P
Transitional housing, program 5	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	P	--	--	--	€	--	P	P	P	P
Transitional housing, program 6	--	--	--	--	--	--	--	--	--	--	--	€	P	€	--	P	--	--	--	€	--	€	€	€	€

Key: P = Permitted Use L = Limited Use C = Conditional Use -- = Use Not Permitted

## Household Living

### Single-Family Dwelling

#### L1. **IX**

Permitted only if adjacent to existing single or two-family residential and the lot size is greater than or equal to 10,000 SF. A lot less than 10,000 SF requires a Conditional Use approval.

### Attached Dwelling

#### L2. **SF-20, SF-10, SF-6, SF-4, SF-2, RM-L, RM-M, RM-, RX, PX, NX, CX, CG, IX, RF-R**

- a. **Purpose.** This subsection provides for efficient and economical development and housing opportunities in single-

family zones while protecting natural open space, ecological, topographical and historic features that may exist on the site from damage that might occur from traditional zoning and subdivision regulations. These regulations ~~to~~ provide more flexible development parameters with no detriment to neighboring properties by including minimum open space and design requirements.

- b. **Uses.** A development that includes single-family attached dwellings may also include detached single-family dwellings. Detached single-family dwellings that are subject to this

subsection are not subject to minimum lot size requirements, but must comply with all other standards in this subsection.

- c. **Ownership.** At the time of application, the site may consist of more than one parcel, but all parcels must be contiguous and under single ownership.
  - d. **Division of Parcels.** The site may be further subdivided after final subdivision plat approval, including the provision of interior streets
  - e. **Site Density.** The site density equals the underlying minimum lot area for each dwelling unit of the district in which the development is located. At the time of application, if the development is divided by a pre-existing public street or right-of-way, the density must be divided proportionally on each side of the street.
  - f. **Minimum Setback.** ~~The minimum required setbacks of the zoning district do not apply to the development sites or individual buildings or structures on the development site. The minimum interior side interior and side total setback requirements shall be waived for attached dwelling, provided the property owner submits sufficient documentation establishing the presence of fire resistive separation barrier from adjacent connected structures.~~
  - g. **Frontage.** The cluster housing development site must have a minimum of 25 feet of frontage on a street. Individual lots within the development are not required to front on a street
  - h. **Minimum Open Space.** At least 10% of the total development site must consist of open space. Open space
- excludes impervious surface areas such as buildings, paved areas and detention/retention areas.
- i. **Signs.** One non-illuminated or indirectly illuminated ground sign, up to 12 square feet, is permitted for each development site. Other signs may be installed as permitted by the zoning district regulations.
  - j. **Streets.** Streets, sidewalks and common ways must comply with Chapter 721 of the Municipal Code.
  - k. **Separate Lots Not Required.** Buildings are not required to be on a separate lot.
  - l. **Covenants.** Prior to the issuance of a certificate of occupancy for any building within a cluster housing development, the owner of the cluster housing development must provide a covenant in a form acceptable to the City Solicitor to be recorded promising that the buffer yard, walks, drives and open space as shown on the plan will not be used for any other purpose. The owner must further covenant that all streets, buffer yards, common areas, common utilities and other common facilities will remain in common ownership by all owners of any interest in the land or buildings in the cluster housing development site. See Sec. 1751-1.
  - m. **Site Divided by Zoning Line.** Where a development site is divided by a zoning district boundary line, the maximum number of dwelling units is the sum of the number of dwelling units permitted in each district by the applicable lot area for every dwelling unit requirements. However, the units may be located in either district.

**L3. IX**

Permitted only if adjacent to existing single, two, three, or four-family residential use and must meet all standards in L2.

### **Two-Family Dwelling**

**L4. IX**

Permitted only if adjacent to existing single or two-family residential and the lot size is greater than or equal to 10,000 SF. A lot less than 10,000 SF requires a Conditional Use approval.

### **Three-Family Dwelling**

**L5. IX**

~~Allowed~~ Permitted only in the upper stories of a mixed use building. A lobby or other entrance is ~~Allowed~~ permitted on the ground floor.

### **Four-Family Dwelling, Multi-Family Dwelling**

**L6. IX**

Permitted only in the upper stories of a mixed use building. A lobby or other entrance is permitted on the ground floor.

### **Loft Dwelling-Live/Work Unit**

**L7. Any District Where Permitted**

- a. A ~~loft dwelling live/work~~ unit established on the first floor requires conditional use approval (see Chapter 1751).
- b. A ~~loft dwelling-live/work~~ unit ~~may~~ contain a studio, gallery, office, business or other use as permitted by the applicable zoning district regulations.

**L8. RX, ~~PX~~, NX, CX, ~~CG~~, IX, IH, ~~RF-C~~, ~~RF-M~~**

- a. Must meet all standards in L7 and the loft dwelling unit's owner shall provide a statement of disclosure to all buyers and tenants acknowledging the commercial and manufacturing

character of the district and accepting the potential for uses in the area to result in off-site impacts at higher levels than are expected in residential areas. Occupancy of these units is at the risk of the owner/occupant.

- b. If applicable, the resident owner of the commercial establishment is responsible for the commercial use on the premises and is subject to a valid business license, associated with the premises and based on the commercial activity conducted therein.

### **Congregate Housing**

#### **Student Dwellings**

**L9. Any District Where Permitted**

- a. Off-street parking shall be provided on the lot containing the student dwelling, or public off-street parking shall be available to the occupants of the student dwelling, for not less than 50% of the students occupying the student dwelling. Any public off-site parking shall be within four hundred feet (400') of the student dwelling, measured as the shortest distance from the lot on which the student dwelling is located to the lot line of the available off-site parking.
- b. No furniture, appliances, alcoholic beverage dispensers, or any other object or item not customarily located outside of a residential dwelling shall be located or stored outside of the student dwelling. The location of any such object or item or the storage thereof on a lot containing a student dwelling shall constitute illegal outdoor storage in violation of the LDC.

- c. Student dwellings shall be occupied in strict accordance with all applicable laws, ordinances, and regulations, including, but not limited to, all applicable fire and safety codes. In the event that a student dwelling is not so occupied, then use of a lot for a student dwelling shall be prohibited and the use shall be immediately discontinued.

## Rooming House

### L10. Any District Where Permitted

- a. Rooming houses must be licensed pursuant to Chapter 855 of the Municipal Code.
- b. Each rooming unit within a rooming house may be occupied by only 1 person if the unit is less than 100 square feet in floor area, and by no more than 2 persons if larger than 100 square feet in floor area.
- c. The minimum rental is 7 days.

### L11. RM-H, ~~PX~~, ~~NX~~, ~~CX~~, ~~CG~~, IX

- i. Must meet all standards in L10
- ii. Maximum 5 rooming units per building.

## Shared Housing for the Elderly

### L12. SF-4, SF-2, ~~RMX~~ ~~RM-L~~, RM-M, RM-H

- a. The minimum living area for every resident is 250 square feet.

## Social Service Housing

### Transitional housing, Program 6 Halfway House

### L13. DD-

Maximum 50 resident occupants.



## 1703-9.4. Commercial/Services Use Table & Use Standards

	SF-20	SF-10	SF- 6	SF- 4	SF- 2	RM-L	RM-M	RM-H	RX	PX	NX	CX	CG	IX	IA	IH	RF-R	RF- C	RF- M	IR	PR	DD-A	DD-B	DD-C	DD-D
Commercial/Services																									
Retail Commercial:																									
Animal services	--	--	--	--	--	--	--	--	--	<u>L</u> <sup>1</sup>	<u>L</u> <sup>1</sup>	<u>L</u> <sup>1</sup>	<u>L</u> <sup>2</sup>	<u>L</u> <sup>2</sup>	--	--	--	--	--	--	--	--	C	C	--
Alternative financial services	--	--	--	--	--	--	--	--	--	<u>L</u> <sup>3</sup>	<u>L</u> <sup>3</sup>	<u>L</u> <sup>3</sup>	<u>L</u> <sup>3</sup>	--	--	--	--	--	--	--	--	<u>L</u> <sup>3</sup>	<u>L</u> <sup>3</sup>	<u>L</u> <sup>3</sup>	<u>L</u> <sup>3</sup>
Bank/financial services	--	--	--	--	--	--	--	--	<u>L</u> <sup>4</sup>	<u>L</u> <sup>4</sup>	<u>L</u> <sup>5</sup>	P	P	P	--	--	--	--	--	--	--	P	P	P	P
Building material sales and services	--	--	--	--	--	--	--	--	--	--	--	<u>L</u> <sup>6</sup>	<u>L</u> <sup>6</sup>	<u>L</u> <sup>6</sup>	--	P	--	--	--	--	--	--	--	--	--
Commercial and industrial machinery and equipment rental and leasing	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	P	--	--	--	--	--	--	--	--	--
Car wash	--	--	--	--	--	--	--	--	--	--	--	C	<u>L</u> <sup>7</sup>	--	--	--	--	--	--	--	--	<u>L</u> <sup>8</sup>	<u>L</u> <sup>8</sup>	<u>L</u> <sup>8</sup>	<u>L</u> <sup>8</sup>
Consumer goods rental/ general rental centers	--	--	--	--	--	--	--	--	--	<u>L</u> <sup>9</sup>	<u>L</u> <sup>9</sup>	P	P	--	--	--	--	--	--	--	--	P	P	P	P
Convenience store without fuel sales	--	--	--	--	--	--	--	<u>L</u> <sup>10</sup>	<u>L</u> <sup>10</sup>	<u>L</u> <sup>10</sup>	<u>L</u> <sup>11</sup>	P	P	P	--	--	C	P	--	--	--	P	P	P	P
Convenience store with fuel sales	--	--	--	--	--	--	--	--	--	--	C	<u>L</u> <sup>11</sup>	<u>L</u> <sup>12</sup>	<u>L</u> <sup>12</sup>	--	--	--	--	--	--	--	--	--	--	--
Eating or drinking establishment	--	--	--	--	--	--	--	--	<u>L</u> <sup>13</sup>	<u>L</u> <sup>13</sup>	<u>L</u> <sup>14</sup>	P	P	P	<u>P</u>	--	<u>L</u> <sup>15</sup>	<u>L</u> <sup>15</sup>	--	--	C	P	P	P	P
Food market	--	--	--	--	--	<u>L</u> <sup>17</sup>	<u>L</u> <sup>18</sup>	<u>L</u> <sup>18</sup>	<u>L</u> <sup>18</sup>	<u>L</u> <sup>19</sup>	<u>L</u> <sup>20</sup>	<u>L</u> <sup>16</sup>	<u>L</u> <sup>16</sup>	<u>L</u> <sup>16</sup>	<u>L</u> <sup>16</sup>	--	C	P	--	--	--	<u>L</u> <sup>16</sup>	<u>L</u> <sup>16</sup>	<u>L</u> <sup>16</sup>	<u>L</u> <sup>16</sup>
Food preparation	--	--	--	--	--	--	--	--	<u>L</u> <sup>21</sup>	<u>L</u> <sup>21</sup>	<u>L</u> <sup>22</sup>	P	P	P	P	--	--	--	--	--	--	P	P	P	P
Fuel sales	--	--	--	--	--	--	--	--	--	--	C	<u>L</u> <sup>23</sup>	<u>L</u> <sup>23</sup>	<u>L</u> <sup>23</sup>	--	--	--	--	--	--	--	--	--	--	--
Garden supply, nursery	--	--	--	--	--	--	--	--	--	--	<u>L</u> <sup>24</sup>	<u>L</u> <sup>24</sup>	<u>L</u> <sup>24</sup>	<u>L</u> <sup>24</sup>	<u>L</u> <sup>25</sup>	--	<u>L</u> <sup>24</sup>	<u>L</u> <sup>24</sup>	<u>L</u> <sup>24</sup>	--	--	--	--	--	
Laboratories, commercial	--	--	--	--	--	--	--	--	--	<u>L</u> <sup>26</sup>	<u>L</u> <sup>26</sup>	P	P	P	--	<u>P</u>	--	--	--	P	--	<u>L</u> <sup>27</sup>	--	<u>L</u> <sup>27</sup>	<u>L</u> <sup>27</sup>
Market shop/open market	--	--	--	--	--	--	--	--	--	P	P	P	P	P	<u>P</u>	--	--	P	P	--	P	P	P	P	P
Nonstore retailers	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	--	--	--	--	P	P	P	P
Office, general	--	--	--	--	--	--	--	<u>L</u> <sup>28</sup>	<u>L</u> <sup>28</sup>	<u>L</u> <sup>29</sup>	<u>L</u> <sup>29</sup>	P	P	P	P	--	--	P	--	P	--	<u>L</u> <sup>30</sup>	P	<u>L</u> <sup>30</sup>	<u>L</u> <sup>30</sup>
Retail, general	--	--	--	--	--	--	--	<u>L</u> <sup>32</sup>	<u>L</u> <sup>32</sup>	<u>L</u> <sup>32</sup>	<u>L</u> <sup>33</sup>	P	P	P	--	--	--	<u>L</u> <sup>34</sup>	--	--	--	<u>L</u> <sup>31</sup>	<u>L</u> <sup>35</sup>	<u>L</u> <sup>31</sup>	<u>L</u> <sup>31</sup>
Sexually oriented business	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	<u>L</u> <sup>36</sup>	--	--	--	--	--	--	--	--	--
Vehicle and equipment sales and rental	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	<u>P</u>	--	--	--	--	--	<u>L</u> <sup>37</sup>	--	<u>L</u> <sup>37</sup>	--
Services:																									
Building maintenance services	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	P	--	--	--	--	--	--	--	P	--
Business services	--	--	--	--	--	--	--	<u>L</u> <sup>38</sup>	<u>L</u> <sup>38</sup>	<u>L</u> <sup>39</sup>	<u>L</u> <sup>39</sup>	P	P	P	--	--									
Commercial meeting facility	--	--	--	--	--	--	--	--	<u>L</u> <sup>40</sup>	<u>L</u> <sup>40</sup>	<u>L</u> <sup>41</sup>	P	P	P	--	--	--	P	--	--	--	<u>L</u> <sup>42</sup>	<u>L</u> <sup>42</sup>	<u>L</u> <sup>42</sup>	<u>L</u> <sup>42</sup>
Funeral and interment services	--	--	--	--	--	--	--	<u>L</u> <sup>43</sup>	<u>P</u>	C	P	P	P	--	--	--	--	--	--	--	<u>L</u> <sup>44</sup>	--	--	P	--
Maintenance and repair services	--	--	--	--	--	--	--	--	<u>L</u> <sup>45</sup>	<u>L</u> <sup>45</sup>	<u>L</u> <sup>46</sup>	P	P	P	P	<u>P</u>	--	--	--	--	--	P	P	P	P

Key: P = Permitted Use L = Limited Use C = Conditional Use -- = Use Not Permitted

	SF-20	SF-10	SF- 6	SF- 4	SF- 2	RM-L	RM-M	RM-H	RX	PX	NX	CX	CG	IX	IA	IH	RF-R	RF- C	RF- M	IR	PR	DD-A	DD-B	DD-C	DD-D
Personal instructional services	--	--	--	--	--	--	--	<u>L</u> <sup>47</sup>	<u>L</u> <sup>47</sup>	<u>L</u> <sup>47</sup>	<u>L</u> <sup>48</sup>	P	P	P	P	--	--	--	--	--	P	P	P	P	
Personal services	--	--	--	--	--	--	--	<u>L</u> <sup>50</sup>	<u>L</u> <sup>50</sup>	<u>L</u> <sup>51</sup>	<u>L</u> <sup>49</sup>	<u>L</u> <sup>49</sup>	<u>L</u> <sup>49</sup>	<u>L</u> <sup>49</sup>	--	--	--	<u>L</u> <sup>52</sup>	--	--	--	<u>L</u> <sup>49</sup>	<u>L</u> <sup>53</sup>	<u>L</u> <sup>49</sup>	<u>L</u> <sup>49</sup>
Social assistance, welfare, and charitable services	--	--	--	--	--	--	--	C	C	C	C	P	P	P	--	P	--	--	--	--	--	P	P	P	P
Vehicle repair	--	--	--	--	--	--	--	--	--	--	--	C	<u>L</u> <sup>54</sup>	<u>L</u> <sup>54</sup>	--	<u>L</u> <sup>54</sup>	--	--	--	--	--	--	--	<u>L</u> <sup>55</sup>	--
Day Care:																									
Day care center	--	--	--	--	--	--	C	C	<u>L</u> <sup>56</sup>	<u>L</u> <sup>56</sup>	<u>L</u> <sup>56</sup>	<u>L</u> <sup>56</sup>	<u>L</u> <sup>56</sup>	<u>L</u> <sup>56</sup>	<u>L</u> <sup>56</sup>	--	C	<u>L</u> <sup>56</sup>	--	<u>L</u> <sup>56</sup>	--	<u>L</u> <sup>56</sup>	<u>L</u> <sup>56</sup>	<u>L</u> <sup>56</sup>	<u>L</u> <sup>56</sup>
Lodging:																									
Bed and breakfast	--	C	C	C	C	<u>L</u> <sup>57</sup>	<u>L</u> <sup>57</sup>	<u>L</u> <sup>57</sup>	<u>L</u> <sup>57</sup>	<u>L</u> <sup>57</sup>	<u>L</u> <sup>57</sup>	--	--	--	<u>L</u> <sup>57</sup>	--	<u>L</u> <sup>57</sup>	--	--	<u>L</u> <sup>57</sup>	--	<u>L</u> <sup>57</sup>	<u>L</u> <sup>57</sup>	<u>L</u> <sup>57</sup>	<u>L</u> <sup>57</sup>
Hotel	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	<u>L</u> <sup>58</sup>	<u>L</u> <sup>58</sup>	--	--	--	P	P	--	P

Key: P = Permitted Use L = Limited Use C = Conditional Use -- = Use Not Permitted

## Retail/Commercial

### Animal Services

#### L1. CX, NX, PX

- All animal services and operations must be contained within a structure constructed according to the limitations of this section with no exterior exercise areas, yards, pens or storage areas.
- No part of any structure located within 100 feet of a residential district line may be used for animal services.
- The facility may not be used for the boarding of animals, except as needed for treatment and recovery.
- The floor area of the use cannot exceed 2,500 square feet of gross floor area.
- There may be no openings in the walls or roof of any portion of the structures used for the facility unless such openings are stationary windows or required means of egress.
- The facility must be provided with mechanical ventilation with continual filtration of all exhaust air.

#### L2. CG, IX

Outdoor exercise areas, yards or pens must be 100 feet from any residential district.

### Alternative Financial Services

#### L3. PX, NX, CX, CG, DD

- Purpose.** These standards regulate the location of check-cashing businesses, and certain businesses that make short-term loans, small loans and mortgage loans, to protect neighborhoods from negative secondary effects created by the concentration or clustering of those businesses. These regulations do not affect lending practices, interest rates, are any other matters regulated by ORC 1.63 or Title 13.
- Applicability.** These standards apply to any "Alternative Financial Service," which includes any of the following use sub-categories:
  - » **Bail Bond Service.** An establishment which provides sureties to procure the release of

persons under arrest by becoming responsible for their appearance at the time and place designated.

- » **Check-Cashing Business.** Any business that is licensed, or is required to be licensed to cash checks under ORC 1315.21 through 1315.30;
  - » **Currency Exchange Outlet.** Any business or organization that is engaged in the business of cashing checks, drafts, money orders, or travelers' checks for a fee.
  - » **Pawnbroker.** See ORC § 4727.01.
  - » **Short-Term Loan Lender.** Any business that is licensed, or is required to be licensed to make short term loans under ORC 1321.35 through 1321.48;
  - » **Small Loan Lender.** Any business that is licensed, or is required to be licensed to make small loans under ORC 1321.01 to 1321.19; and
- c. Exemptions.** This subsection does apply to any bank, savings and loan, credit union or similar financial institution that is not licensed under, required to be licensed under, or otherwise regulated by the state laws cited in these standards.
- d. Location.** Within 2,700 feet of any casino site, no Alternative Financial Service shall be established (measured in a straight line from the building in which the Alternative Financial service is located):
- » Within 300 feet of a casino site or a lot containing an existing Alternative Financial Service, and

- » Within the same building or on the same lot as another Alternative Financial Service, and
- » Within 1,000 feet from any residential district, and
- » within 500 feet from any residential use in a DD- district.

- e. Security Devices.** The establishment does not use bars, chains or similar security devices that are visible from the public street or sidewalk.
- f. Existing Businesses.** This section does not apply to any Alternative Financial Service as defined above currently in operation prior to passage of this section.

## Bank/Financial Services

### L4. RX, PX

- a. The use must be within or attached to a multi-tenant building, cannot be located in a standalone building; and
- b. The floor area of the use cannot exceed 10% of the gross floor area of the entire building or 2,500 square feet, whichever is greater.

### L5. NX

Permitted by right up to +5,000 square feet on a single lot or building. More space requires a conditional use permit (see Chapter 1751).

## Building Materials Sales and Services

### L6. CX, CG, IX

Outside storage must be screened with an 8 foot privacy fence.

## Car Wash

### L7. Any District Where Permitted

- a. **Location.** Permitted on arterial streets only.

- b. **Setbacks.** No building or structure may be located within 20 feet of any street lot line.
- c. **Queue Area.** Each facility must provide sufficient queue area in advance of the car wash area to accommodate 2 vehicles in advance of a self-service bay and 6 vehicles in advance of an automatic service bay.
- d. **Litter.** One permanent trash receptacle per wash bay is required.
- e. **Noise.** Sound baffles to absorb noise must be installed at all facilities creating noise levels above 70 decibels at the property line.

#### **L8. DD**

Permitted only within a parking garage.

### **Consumer Goods Rental/ General Rental Centers**

#### **L9. PX, NX**

Permitted by right up to 45,000 square feet on a single lot or building. More space requires a conditional use permit (see Chapter 1751).

### **Convenience Store without Fuel Sales**

#### **L10. RM-H, ~~RX~~, PX**

- a. The use must be within or attached to a multi-tenant building, cannot be located in a standalone building; and
- b. The floor area of the use cannot exceed 10% of the gross floor area of the entire building or 2,500 square feet, whichever is greater.
- c. In RM-H, the lot must front on a street classified as an arterial or higher.

#### **L11. NX**

Permitted by right up to 45,000 square feet on a single lot or building. More space requires a conditional use permit (see Chapter 1751).

### **Convenience Store with Fuel Sales**

#### **L12. Any District Where Permitted**

- a. Fuel dispensing units must be located at least 50 feet from any residential district property line, and 15 feet from any other property line.
- b. Canopies covering fuel dispensing area must **only** be located **in a front or side yard and** at least 5 feet from all property lines, and cannot be located between buildings and adjacent streets.
- c. All exterior light sources must be stationary and shielded, or recessed within the roof canopy, and directed away from adjacent residential districts and public rights-of-way.
- d. All service areas, trash storage areas and mechanical equipment must be screened from ground-level view from adjacent properties and public rights-of-way. A 6-foot tall wall or fence must be provided along all residential district boundary lines.
- e. At least one permanent trash receptacle must be installed at each pump island.

### **Eating or Drinking Establishment**

#### **L13. ~~RX~~ PX**

- a. The use must be within or attached to a multi-tenant building, cannot be located in a standalone building; and
- b. The floor area of the use cannot exceed 10% of the gross floor area of the entire building or 2,500 square feet, whichever is greater.

**L14. NX**

Permitted by right up to +5,000 square feet on a single lot or building. More space requires a conditional use permit (see Chapter 1751).

**L15. RF-R, RF-C**

Permitted in marinas and boatyards. Otherwise a conditional use approval is required (see Chapter 1751).

**Food Market****L16. Any District Where Permitted**

Any convenience market or commissary within 2,700 feet of a casino site, in addition to any standards established above for a food market:

- a. Shall be located at least 100 feet from the boundary of any residential district. If the convenience market or commissary occupies a multiple use building, this distance is measured from any space leased or occupied by the convenience market or commissary, and
- b. Must occupy less than 3,000 square feet or the maximum square footage in the applicable zoning district, whichever is less.

**L17. RM-M**

- a. The use must be within or attached to a multi-tenant building, cannot be located in a standalone building; and
- b. Must be located in a structure with at least 50 dwelling units, and have no more than 1,200 square feet of gross floor area.
- c. The use must meet all standards in L16.

**L18. RM-H, RX**

- a. The use must be within or attached to a multi-tenant building, cannot be located in a standalone building; and

- b. The floor area of the use cannot exceed 10% of the gross floor area of the entire building or 2,500 square feet, whichever is greater.
- c. In RM-H, the lot must front on a street classified as an arterial or higher.
- d. The use must meet all standards in L16.

**L19. ~~PX~~**

- a. Permitted on ground floor occupying less than 2,500 sf, more space requires a conditional use (see Chapter 1751).
- b. The use must meet all standards in L16.

**L20. NX**

- a. Permitted by right up to +5,000 square feet on a single lot or building. More space requires a conditional use permit (see Chapter 1751).
- b. The use must meet all standards in L16.

**Food Preparation****L21. ~~RX~~~~PX~~**

- a. The use must be within or attached to a multi-tenant building, cannot be located in a standalone building; and
- b. The floor area of the use cannot exceed 10% of the gross floor area of the entire building or 2,500 square feet, whichever is greater.

**L22. NX**

Permitted by right up to +5,000 square feet on a single lot or building. More space requires a conditional use permit (see Chapter 1751).

**Fuel Sales****L23. Any District Where Permitted**

- a. Fuel dispensing units must be located at least 50 feet from any residential district property line, and 15 feet from any other property line.



- b. Canopies covering fuel dispensing area must be located at least 5 feet from all property lines, and cannot be located between buildings and adjacent streets.
- c. All exterior light sources must be stationary and shielded, or recessed within the roof canopy, and directed away from adjacent residential districts and public rights-of-way.
- d. All service areas, trash storage areas and mechanical equipment must be screened from ground-level view from adjacent properties and public rights-of-way. A 6-foot tall wall or fence must be provided along all residential district boundary lines.
- e. At least one permanent trash receptacle must be installed at each pump island.
- f. Permitted only if accessory to a use permitted in the district.

### Garden Supply, Nursery

#### L24. ~~NX~~, CX, CG, IX, ~~RF-R~~, ~~RF-C~~, ~~RF-M~~

Outside storage must be screened with an 8 foot privacy fence.

#### L25. IA

The use cannot exceed ~~5,000~~ 10,000 square feet of site area.

### Laboratories, Commercial

#### L26. ~~PX~~, ~~NX~~

Permitted by right up to ~~45,000~~ square feet on a single lot or building. More space requires a conditional use permit (see Chapter 1751).

#### L27. DD-A, DD-C, DD-D

Not permitted as a principal ground floor use in locations indicated in Sec. 1703-7.8.

### Offices, General

#### L28. RM-H, RX

- a. The use must be within or attached to a multi-tenant building, cannot be located in a standalone building; and
- b. The floor area of the use cannot exceed 10% of the gross floor area of the entire building or 2,500 square feet, whichever is greater.
- c. In RM-H, the lot must front on a street classified as an arterial or higher.

#### L29. ~~PX~~, NX

Permitted by right up to ~~45,000~~ square feet on a single lot or building. More space requires a conditional use permit (see Chapter 1751).

#### L30. DD-A, DD-C, DD-D

Not permitted as a principal ground floor use in locations indicated in Sec. 1703-7.8.

### Retail, General

#### L31. Any District Where Permitted

The following uses that are located within 2,700 feet of a casino site must be at least 100 feet from the boundary of any residential district, and at least 50 feet from any residential use in a DD district:

- a. Jewelry, gold and precious metals stores (whether purchasing or selling)
- b. Video stores
- c. Gifts and novelties stores
- d. Tobacco stores
- e. Liquor and package stores.

#### L32. RM-H, ~~RX~~ ~~PX~~

- a. The use must be within or attached to a multi-tenant building, cannot be located in a standalone building; and

- b. The floor area of the use cannot exceed 10% of the gross floor area of the entire building or 2,500 square feet, whichever is greater.
- c. In RM-H, the lot must front on a street classified as an arterial or higher.
- d. The use must meet all standards in L31.

#### **L33. NX**

Permitted by right up to 5,000 square feet on a single lot or building. More space requires a conditional use permit (see Chapter 1751). The use must meet all standards in L31.

#### **L34. RF-C**

Must involve retail sales of products incidental to a permitted principal use in the district and gross floor area of retail sales is limited to 5,000 square feet. The use must meet all standards in L31.

#### **L35. DD-B**

Permitted on the ground floor only. The use must meet all standards in L31.

### **Sexually Oriented Business**

#### **L36. IH**

##### **a. License.**

These establishments are licensed by the City in compliance with the provisions of Chapter 899 of the Municipal Code.

##### **b. Location.**

- i. The minimum distance from a residential district boundary is 1,000 feet.
- ii. The minimum distance from every other licensed sexually oriented businesses is 1,000 feet.
- iii. The minimum distance from schools, public or private; religious assembly; public library; parks and recreation facilities; hotel; day care

center; or any place licensed for the sale of beer or intoxicating liquor for consumption on the premises is 1,000 feet.

#### **d. Approval**

- i. The Director must only consider the proximity standards specified above in determining whether to approve a sexually oriented business.
- ii. The determination must be made without a public hearing being held and must be made within 10 days of the receipt of a complete application for a Certificate of Compliance.
- iii. No person, other than an applicant who has been denied a Certificate of Compliance, may appeal a decision of the director on an application for a Certification of Compliance for a sexually oriented business to the Zoning Board of Appeals.
- iv. Any appeal to the Zoning Board of Appeals must be heard and determined within 30 days of the filing of the notice of appeal.
- v. Further appeal is to a court of competent jurisdiction as provided by law. Unless the solicitor obtains an injunctive order restraining the opening and operation of a sexually oriented business, an applicant may open and operate a sexually oriented business 30 days after the filing of a notice of appeal to a court of competent jurisdiction pending final resolution of the appeal.

## Vehicle and Equipment Sales and Rental

### L37. DD-A, DD-C

Permitted only within a parking garage.

## Services

### Business Services

#### L38. RM-H, RX

- a. The use must be within or attached to a multi-tenant building, cannot be located in a standalone building; and
- b. The floor area of the use cannot exceed 10% of the gross floor area of the entire building or 2,500 square feet, whichever is greater.
- c. In RM-H, the lot must front on a street classified as an arterial or higher.

#### L39. ~~PX~~, NX

Permitted by right up to +5,000 square feet on a single lot or building. More space requires a conditional use permit (see Chapter 1751).

## Commercial Meeting Facility

#### L40. ~~PX~~ ~~RX~~

- a. The use must be within or attached to a multi-tenant building, cannot be located in a standalone building; and
- b. The floor area of the use cannot exceed 10% of the gross floor area of the entire building or 2,500 square feet, whichever is greater.

#### L41. NX

Permitted by right up to +5,000 square feet on a single lot or building. More space requires a conditional use permit (see Chapter 1751).

#### L42. DD

Not permitted as a principal ground floor use in locations indicated in Sec. 1703-7.8.

## Funeral and Interment Services

### L43. RM-H

- a. The use must be within or attached to a multi-tenant building, cannot be located in a standalone building; and
- b. The floor area of the use cannot exceed 10% of the gross floor area of the entire building or 2,500 square feet, whichever is greater.
- c. In RM-H, the lot must front on a street classified as an arterial or higher.

### L44. PR

Permitted only as an accessory use to an existing cemetery.

## Maintenance and Repair Services

### L45. RX, ~~PX~~

- a. The use must be within or attached to a multi-tenant building, cannot be located in a standalone building; and
- b. The floor area of the use cannot exceed 10% of the gross floor area of the entire building or 2,500 square feet, whichever is greater.

### L46. NX

Permitted by right up to +5,000 square feet on a single lot or building. More space requires a conditional use permit (see Chapter 1751).

## Personal Instructional Services

### L47. RM-H, RX, ~~PX~~

- a. The use must be within or attached to a multi-tenant building, cannot be located in a standalone building; and
- b. The floor area of the use cannot exceed 10% of the gross floor area of the entire building or 2,500 square feet, whichever is greater.
- c. In RM-H, the lot must front on a street classified as an arterial or higher.

**L48. NX**

Permitted by right up to +5,000 square feet on a single lot or building. More space requires a conditional use permit (see Chapter 1751).

**Personal Services****L49. Any District Where Permitted**

Any "massage establishment" as defined in CMC 897-1-M-1, and that is located within 2,700 feet of a casino site, shall:

- a. Maintain hours of operation no earlier than 8:00 a.m. or later than 10:00 p.m.,
- b. Not provide food or beverages for sale to customers or the general public, and
- c. Be located at least 300 feet from a residential district boundary.

These requirements do not apply to: (1) licensed physicians, surgeons, chiropractors, physical therapists or osteopaths where the massage is performed by the those licensed professionals and/or by a staff member of those licensed professionals in the course of treatment prescribed by said professional and only when the professional is present on the premises, or (2) persons certified to perform acupuncture or oriental medicine by ORC 4762.02 acting within the scope of their certification, (3) registered or certified health care professionals as defined by ORC 1.64 acting within the scope of their license, (4) hospitals, nursing homes, sanatoriums, or other health care facilities duly licensed by the state of Ohio, or (5) barbers, beauticians and manicurists who are duly licensed by the state of Ohio while engaging in the practice within the scope of their license, except that this exemption applies solely to the massaging of the neck, face and/or scalp of the customer or client of the barber or beautician or in the case of a licensed manicurist, the massaging of

the forearm, hands, calves and/or feet, (6) accredited high schools, junior colleges, and colleges or universities whose coaches and trainers are acting within the scope of their employment, or (7) trainers of amateur, semi-professional or professional athletes or athletic teams.

**L50. RM-H, RX**

- a. The use must be within or attached to a multi-tenant building, cannot be located in a standalone building; and
- b. The floor area of the use cannot exceed 10% of the gross floor area of the entire building or 2,500 square feet, whichever is greater.
- c. In RM-H, the lot must front on a street classified as an arterial or higher.
- d. The use must meet all standards in L49.

**L51. NX**

Permitted by right up to +5,000 square feet on a single lot or building. More space requires a conditional use permit (see Chapter 1751). The use must meet all standards in L49.

**L52. RF-C**

Must involve repair of products incidental to a principal use permitted in the district and gross floor area is limited to 5,000 square feet. The use must meet all standards in L49.

**L53. DD-B**

Permitted on the ground floor only. The use must meet all standards in L49.

**Vehicle Repair****L54. Any District Where Permitted**

- a. **Location.** The repair area must be located within an enclosed structure.

- b. **Hazardous Materials.** All automotive fluids must be recycled or removed according to local, state and federal standards.
- c. **Outdoor Storage.** Any space for the storage of vehicles awaiting repair must be screened on all sides and completely enclosed within an 8-foot screen fence which is protected by a guardrail or other barriers approved by the Director. Electrical, barbed and razor wire fences are an accessory conditional use (see Chapter 1751). Vehicles may not be stored on the lot for more than 60 days.
- d. **Indoor Storage.** Used or discarded automotive parts or equipment or permanently disabled or junked vehicles must be stored inside a building.
- e. **Building Openings.** There may not be any openings in side walls, rear walls or roofs within 50 feet of a residential district, unless the openings are stationary windows or required fire exits.

#### **L55. DD-C**

The entire use and storage must be located within an enclosed structure.

### **Day Care Center**

#### **L56. Any District Where Permitted**

Outdoor play areas must be located in the rear yard, and be enclosed by a fence or wall of at least 4 feet in height.

### **Lodging**

#### **Bed and Breakfast**

#### **L57. Any District Where Permitted**

- a. **Number of Rooms.** No more than 5 rooms for rent are ~~allowed~~ permitted.

- b. **Appearance.** In residential districts, the building must maintain a residential character on the exterior.
- c. **Business License Required.** A current business license must be obtained and posted in compliance with Chapter 855 of the municipal code.
- d. **Limitation on Services Provided.** Meals and rental of bedrooms are limited to registered guests. Separate or additional kitchens for guests are prohibited.

### **Hotel**

#### **L58. RF-R, RF-C**

Permitted in marinas and boatyards. Otherwise a conditional use approval is required (see Chapter 1751).



## 1703-9.5. Industry, Manufacturing & Processing Use Table & Use Standards

	SF-20	SF-10	SF-6	SF-4	SF-2	RM-L	RM-M	RM-H	RX	PX	NX	CX	CG	IX	IA	IH	RF-R	RF-C	RF-M	IR	PR	DD-A	DD-B	DD-C	DD-D
<b>Industry, Manufacturing and Processing</b>																									
<b>Production:</b>																									
<u>Craft breweries, wineries, or distilleries</u>	--	--	--	--	--	--	--	--	--	L <sup>2</sup>	L <sup>3</sup>	L <sup>4</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>4</sup>	L <sup>1</sup>	--	L <sup>4</sup>	L <sup>1</sup>	--	--	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>
Data processing, hosting, and related services (including data centers)	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--P	--	--P	--P	P	--	P	P	P	P
Media production	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	--	--	--	--	P	P	P	P
Production, artisan	--	--	--	--	--	--	--	--	--	L <sup>5</sup>	L <sup>6</sup>	P	P	P	P	P	C	P	--	--	--	--	--	P	P
Production, general	--	--	--	--	--	--	--	--	--	--	--	--	--	--C	--	P	--	L <sup>7</sup>	L <sup>8</sup>	--	--	--	--	P	--
Production, intensive high impact	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--	L <sup>9</sup>	--	--	--	--	--	--
Production, limited	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	--	L <sup>10</sup>	L <sup>11</sup>	--	--	P	P	P	P
Research and development	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--P	P	P	--P	P	--	--	--	C	--
<b>Storage and Warehouse:</b>																									
Contractor storage	--	--	--	--	--	--	--	--	--	--	--	--	L <sup>12</sup>	C	--	P	--	--P	--P	--	--	--	--	--	--
Indoor storage	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--P	P	--	P	P	--	--	--	--	P	--
Oil and gas storage	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--	C	--	--	--	--	--	--
Outdoor storage	--	--	--	--	--	--	--	--	--	--	--	--	L <sup>13</sup>	L <sup>13</sup>	--	L <sup>13</sup>	--	L <sup>13</sup>	L <sup>13</sup>	--	--	--	--	--	--
Personal storage/mini-warehouse	--	--	--	--	--	--	--	--	--	--	--	--	C	P	--	P	--	--	--	--	--	--	--	--	--
Wholesale and distribution	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	L <sup>14</sup>	L <sup>14</sup>	--	--	--	--	P	--
<b>Waste-Related:</b>																									
Metal waste salvage yard/junk yard	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C <sup>1</sup>	--	--	C <sup>1</sup>	--	--	--	--	--	--
Waste management, waste collection	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C <sup>1</sup>	--	--	--	--	--	--	--	--	--
Waste management, waste disposal	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C <sup>1</sup>	--	--	--	--	--	--	--	--	--
Waste management, waste transfer	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C <sup>1</sup>	--	--	--	--	--	--	--	--	--

Key: P = Permitted Use L = Limited Use C = Conditional Use -- = Use Not Permitted

## Production

### Craft breweries, wineries, and distilleries

#### L1. Any District Where Permitted

- a. The structure or tenant space containing the microbrewery must be a minimum of three hundred (300) linear feet from any residential dwelling unit on a residentially zoned property, as well as three hundred (300) linear feet from any school or house of worship facility.
- b. On site production cannot exceed 15,000 barrels (~465,000 gallons) of beer per year.
- c. Outdoor storage of equipment and materials shall not be permitted in any commercial zone.
- d. Outdoor storage of equipment and materials used in assembly, fabrication, or processing in Industrial zones shall be screened from view by a six-foot opaque fence, and shall not exceed 25% of the gross floor area of all buildings on a lot.
- e. Operations cannot be outside the facility between the hours of 10:00 pm and 7:00 am.
- f. Taprooms are encouraged.

#### L2. PX

- a. The floor area of the use cannot exceed 2,500 square feet.

#### L3. NX

- a. The floor area of the use cannot exceed 5,000 square feet.

#### L4. CX, IA, RF-C

- a. The floor area of the use cannot exceed 15,000 square feet.

## Production, Artisan

#### L5. ~~RX~~ PX

- a. The use must be within or attached to a multi-tenant building, cannot be located in a standalone building; and
- b. The floor area of the use cannot exceed 10% of the gross floor area of the entire building or 2,500 square feet, whichever is greater.

#### L6. NX

Permitted by right up to 45,000 square feet on a single lot or building. More space requires a conditional use permit (see Chapter 1751).

## Production, General

#### L7. RF-C

- a. Requires direct access to barge facilities.
- b. All storage to be in completely enclosed facilities.

#### L8. RF-M

- a. All storage to be in completely enclosed facilities.
- b. Outdoor storage of chemicals, minerals and aggregate requires a conditional use approval (see Chapter 1751).

## Production, Intensive High Impact

### **Any District Where Permitted**

A permit from the Ohio Environmental Protection Agency (OEPA) or any local agency operating under the delegated authority of the OEPA ~~before~~ is required before obtaining zoning approval.

#### L9. RF-M

- a. The use must comply with the standards above.
- b. All storage to be in completely enclosed facilities.

- c. Outdoor storage of chemicals, minerals and aggregate requires a conditional use approval (see Chapter 1751).

## **Production, Limited**

### **L10. RF-C**

- a. Requires direct access to barge facilities.
- b. All storage to be in completely enclosed facilities.

### **L11. RF-M**

- a. All storage to be in completely enclosed facilities.
- b. Outdoor storage of chemicals, minerals and aggregate requires a conditional use approval (see Chapter 1751).

## **Storage and Warehouse**

### **Contractor Storage**

#### **L12. CG**

Outside storage must be screened with an 8 foot privacy fence.

### **Outdoor Storage**

#### **L13. Any District Where Permitted**

See Sec. 1711-5.

## **Wholesale and Distribution**

### **L14. RF-C, RF-M**

Requires direct access to barge facilities.

## **Waste-Related**

### **All Categories**

#### **C1. Any District Where Permitted**

All storage, separation and processing activities for waste-related uses must comply with the following:

- a. **Location, Waste Collection.** Waste-related uses must be at least 200 feet from a residential district.

- b. **Enclosures or Screening.** All waste-related uses must be conducted within an enclosed building or enclosed by a screen fence. The enclosures must be located outside any required front yard, side street yard, required parking or landscape areas or any other area required by this LDC to be maintained unencumbered according to any other applicable public safety laws.
- c. **Hours of Operation.** The site must be staffed during all hours of operation and a sign be posted indicating the hours of operation and warning of the penalties for illegal dumping.

## 1703-9.6. Recreation, Education, & Public Use Table & Use Standards

	SF-20	SF-10	SF-6	SF-4	SF-2	RM-L	RM-M	RM-H	RX	PX	NX	CX	CG	IX	IA	IH	RF-R	RF-C	RF-M	IR	PR	DD-A	DD-B	DD-C	DD-D
<b>Recreation, Education, Public</b>																									
<b>Medical/Health:</b>																									
Ambulance service	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	--	--	P	--	P	P	P	P
Hospital	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	--	--	P	--	P	P	P	P
Medical office or clinic	--	--	--	--	--	--	--	L <sup>1</sup>	L <sup>1</sup>	L <sup>2</sup>	L <sup>2</sup>	P	P	P	--	--	--	--	--	P	--	L <sup>3</sup>	P	L <sup>3</sup>	L <sup>3</sup>
<b>Education:</b>																									
Colleges, public or private	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	--	--	P	--	P	P	P	P
Community Learning Center	L <sup>4</sup>	C	C	C	C	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	--	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	C	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>
School: public or private	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	--	P	P	P	P	C	P	P	P	P
<b>Government:</b>																									
Community service facility	--	--	--	--	--	C	C	C	P	P	P	P	P	P	P	--	P	--	--	P	--	P	P	P	P
Correctional institution	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--	--	--	--	--	--	C	--
Government facilities and installations	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--	C	C	--	--	C	C	C	C
Government office	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	--	P	P	--	P	L <sup>5</sup>	P	P	P	P
Public maintenance facility	--	--	--	--	--	--	--	--	--	--	--	C	C	P	--	P	C	P	--	--	L <sup>6</sup>	--	P	P	P
Public safety facility	--	--	--	C	C	C	C	P	P	P	P	P	P	P	C	P	P	P	P	P	P	P	P	P	P
<b>Civic:</b>																									
Cemetery	L <sup>7</sup>	--	--	L <sup>7</sup>	L <sup>7</sup>	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L <sup>7</sup>	--	--	--	--
Clubs and lodges	--	--	--	--	--	L <sup>8</sup>	L <sup>8</sup>	L <sup>8</sup>	L <sup>8</sup>	P	P	P	P	P	--	--	P	P	--	P	P	P	P	P	P
Cultural institution	--	--	C	C	C	C	C	P	P	P	P	P	P	P	--	--	P	P	--	P	P	P	P	P	P
Meeting facility > 5,000 sf	--	--	--	--	--	--	--	--	--	L <sup>9</sup>	L <sup>9</sup>	P	P	--	--	--	P	P	--	P	P	P	P	P	P
Meeting facility ≤ 5,000 sf	--	--	--	--	--	P	P	P	P	P	P	P	P	--	--	--	P	P	--	P	P	P	P	P	P
Park, recreation field	L <sup>10</sup>	L <sup>10</sup>	L <sup>10</sup>	L <sup>10</sup>	L <sup>10</sup>	P	P	P	P	P	P	P	P	P	P	--	P	P	--	P	P	P	P	P	P
Recreational facility: indoor or small-scale	--	--	--	--	--	--	--	L <sup>11</sup>	L <sup>11</sup>	L <sup>12</sup>	L <sup>12</sup>	L <sup>14</sup>	L <sup>14</sup>	L <sup>14</sup>	--	--	P	P	--	--	P	L <sup>13</sup>	L <sup>13</sup>	L <sup>14</sup>	L <sup>13</sup>
Recreational facility: outdoor or large-scale	--	--	--	--	--	--	--	--	--	--	--	C	P	C	--	--	P	C	--	--	P	C	--	C	C
Religious assembly	C	C	C	C	C	P	P	P	C	P	P	P	P	P	P	--	P	P	P	P	--	P	P	P	P

Key: P = Permitted Use L = Limited Use C = Conditional Use -- = Use Not Permitted

## Recreation, Education, Public

### Medical/Health

#### Medical Office or Clinic

##### L1. RM-H, RX

- a. The use must be within or attached to a multi-tenant building, cannot be located in a standalone building; and
- b. The floor area of the use cannot exceed 10% of the gross floor area of the entire building or 2,500 square feet, whichever is greater.
- c. In RM-H, the lot must front on a street classified as an arterial or higher.

##### L2. ~~PX~~, NX

Permitted by right up to 45,000 square feet on a single lot or building. More space requires a conditional use permit (see Chapter 1751).

##### L3. DD-A, DD-C, DD-D

Not permitted as a principal ground floor use in locations indicated in Sec. 1703-7.8.

### Education

#### Community Learning Centers

##### L4. Any District Where Permitted

- a. A community learning center may only be established in connection with a lawfully established and active public school use.
- b. A community learning center may consist of one or more principal uses located on one or more lots that are adjacent or that have lot lines that are separated only by a street.
- c. A community learning center may consist of one or more of the following uses:
  - i. Any use permitted in the underlying zoning district.

- ii. Any use determined by the Director to be customary and incidental to a community learning center
- iii. If not permitted in the underlying zoning district, the following conditional uses upon approval by the Zoning Hearing Examiner: Social assistance, welfare, and charitable services; personal instructional services; day care center; community service facility; cultural institution; meeting facility > 5,000 sf; park, recreation field; recreational facility; indoor or small-size; community garden.

- d. Each use comprising a community learning center must serve as an integrated component of the community learning center.
- e. Each use comprising a community learning center must comply with all other development regulations for the use required by the LDC.

### Government

#### Government Office

##### L5. PR

Office uses for the administration of parks and recreation facilities, their lessees and concession operators are permitted. All other government offices require conditional use approval (see Chapter 1751).

#### Public Maintenance Facility

##### L6. PR

Public maintenance facilities for the maintenance of parks and recreation facilities are permitted. All other public maintenance facilities require conditional use approval (see Chapter 1751).



## Civic

### Cemetery

#### L7. SF-4, SF-2, PR

- a. A cemetery is permitted only if it is an existing use.~~or an expansion of that use.~~  
A conditional use permit is required for the expansion of a cemetery.
- b. Mausoleums, columbaria and other incidental buildings and structures within and accessory to cemeteries, must be at least 100 feet from abutting properties in the residential district and may not exceed the height limitation for principal buildings of the district in which it is located.

### Club and Lodges

#### L8. RM-L, RM-M, RM-H, RX

The gross floor area of the use cannot exceed 3,000 square feet.

### Meeting Facility

#### L9. ~~PX~~, NX

Permitted by right up to ~~15,000~~ 10,000 square feet on a single lot or building. More space requires a conditional use permit (see Chapter 1751).

### Park, Recreation Field

#### L10. SF

Publicly owned or operated park and recreation facilities are permitted. All park and recreation facilities, private or non-profit, require a conditional use approval.

### Recreational Facility, Indoor or Small-scale

#### L11. RM-H, RX

- a. The use must be within or attached to a multi-tenant building, cannot be located in a standalone building; and

- b. The floor area of the use cannot exceed 10% of the gross floor area of the entire building or 2,500 square feet, whichever is greater.
- c. In RM-H, the lot must front on a street classified as an arterial or higher.
- d. The use must meet all standards in L14.

#### L12. ~~PX~~, NX

Permitted by right up to ~~15,000~~ 5,000 square feet on a single lot or building. More space requires a conditional use permit (see Chapter 1751). The use must meet all standards in L14.

#### L13. DD-A, DD-B, DD-D

Permitted only above the ground floor ~~in~~, unless modified by a conditional use permit (see Chapter 1751). The use must meet all standards in L14.

#### L14. Any District Where Permitted

Any bingo parlor or pool room located within 2,700 feet of a casino site must be located at least 300 feet from a residential district.

## 1703-9.7. Agriculture Use Table & Use Standards

	SF-20	SF-10	SF-6	SF-4	SF-2	RM-L	RM-M	RM-H	RX	PX	NX	CX	CG	IX	IA	IH	RF-R	RF-C	RF-M	IR	PR	DD-A	DD-B	DD-C	DD-D
<b>Agriculture</b>																									
<u>Apiaries</u>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--	--	--	--	--	--
<u>Animal keeping</u>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--	--	--	--	--	--
Community garden	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>	C	L <sup>3</sup>	--	L <sup>3</sup>	--	--	L <sup>3</sup>	L <sup>3</sup>	--	--	--	--
Farming	L <sup>5</sup>	L <sup>5</sup>	L <sup>5</sup>	--	--	--	--	--	--	--	--	--	--	--	L <sup>6</sup>	--	P	--	--	--	--	--	--	--	--
Mining and quarrying	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--	--	--	--	--	--	--	--

Key: P = Permitted Use L = Limited Use C = Conditional Use -- = Use Not Permitted

### Agriculture

#### Apiaries

##### L1. SF

- Minimum lot size  
1/4 acre.
- Maximum apiary size  
24 cubic feet.
- Setbacks  
20 feet from all property lines, unless the apiary is located on a rooftop, then there is no setback.
- Screening  
A six-foot screen fence or hedge is required, unless the apiary is more than 150 feet from all property lines or on a rooftop.
- Nuisance  
Apiaries shall not create a nuisance, foul odors, or be a menace to the health of occupants or neighboring individuals.

#### Animal Keeping

##### L2. SF

- Chickens and Rabbits**  
Chickens and rabbits kept in residential areas shall be held to the following standards:
  - Roosters are prohibited.
  - Slaughtering is prohibited.

- Animals must be kept in an enclosure at all times with at least 4 SF of floor area per animal.
- Enclosures are treated as an Accessory Structure and may only be in the rear yard and must be at least 10 feet from all property lines and at least 30 feet from all neighboring dwellings, schools, churches or businesses.
- Enclosures must be kept clean, dry, odor-free, neat and sanitary at all times.
- The owner must take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites.

##### b. **Goats and Sheep**

Goats and sheep kept in residential areas shall be held to the following standards:

- Slaughtering is prohibited.
- Goats must be dehorned, and males must be neutered.
- Animals must be kept in a fenced secure area of at least 400 SF at all times. Enclosure or sheds must provide at least 10 SF of floor area per animal.

- iv. Enclosures are treated as an Accessory Structure and may only be in the rear yard and must be at least 10 feet from side property lines, 15 feet from rear property lines, and at least 30 feet from all neighboring dwellings, schools, churches or businesses.
  - v. Enclosures must be kept clean, dry, odor-free, neat and sanitary at all times.
  - vi. The owner must take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites.
- c. **Maximum Number of Animals**
- i. Lots under 10,000 SF  
Chickens: 6  
Rabbits: 6  
Sheep: 2  
Goats: 2
  - ii. Lots between 10,000 SF and 20,000 SF  
Chickens: 10  
Rabbits: 12  
Sheep: 3  
Goats: 3
  - iii. Lots between 20,000 SF and 40,000 SF  
Chickens: 14  
Rabbits: 18  
Sheep: 5  
Goats: 5

## Community Garden

### L3. Any District Where Permitted

#### a. Hours of Operation

A community garden cannot be used between the hours of 10:00 pm and 7:00 am.

#### b. Number of Structures

2 max.

#### c. Structure Height

15 feet max.

#### d. Size

800 square feet max for all structures (other than fences and walls).

#### e. Setbacks

Setbacks for all structures except fences:

- i. Rear and side lot lines (interior side for corner lots): 3 feet min.
- ii. Rear lot line: 25 feet max.
- iii. Front lot line / corner street side: 10 feet min.

#### f. Fencing Height

- i. Along front or side street lot line (Residential district): 4 feet max.
- ii. Along side or rear Lot Line, other districts: 6 feet max.
- iii. Deer fencing may be up to 10 feet with written approval from all surrounding property owners.

#### g. Fence Opacity

- i. Along front or side street lot line (Residential districts): 50% max.
- ii. Along side or rear Lot Line (other districts): 100% max.

#### h. Fence Material

Fences and walls cannot include electrified, barbed or razor wire.

#### i. Outdoor Storage

Tools and supplies must be stored indoors or removed from the property daily. Bulk supplies and water tanks must be stored outside of front and side setbacks.

#### j. Pesticides and Fertilizers

Pesticides and fertilizers must be stored in a locked storage structure and must comply with any other applicable requirements for hazardous materials

**k. Equipment**

Use of commercial or industrial farm equipment is not ~~allowed~~ permitted .

**l. Composting**

- i. Composting must be only of materials generated on-site.
- ii. Area used for composting: 10% of the garden site with a max. of 200400 square feet.
- iii. Compost material must be enclosed in a screen fence or structure.
- iv. Compost enclosures / refuse area setbacks:
  - » Rear and side lot lines (interior side for corner lots): 3 feet min.
  - » Rear lot line: 25 feet max.
  - » Front lot line / corner street side: 10 feet min.
- v. Compost enclosures must be located to prevent runoff of water that has come in contact with the compost from flowing onto adjacent property, into natural or human-made storm channels or the public right-of-way.
- vi. Compost enclosures must be maintained in a way that protects adjacent properties from adverse environmental, health and safety impacts such as noise, odors and attraction of rodents or other pests.

**m. Maintenance**

- i. The property owner of the site on which a community garden is located is responsible for all maintenance requirements.
- ii. The site must be designed and maintained to prevent any chemical, pesticide, fertilizer, or other garden waste from draining onto adjacent property.

- iii. Cultivated areas must be prevented from encroaching onto adjacent properties.
- iv. The property must be maintained free of high grass, weeds or other debris.
- v. Dead plant growth must be composted or removed from the site no later than December 1st of each year.
- vi. All refuse storage areas must be screened from ground-level view and from adjacent properties or public rights-of-way.

**L4. SF-, ~~MFRM-~~**

On-site sales of community garden products are prohibited. The use must meet all standards in L3.

**Farming**

**L5. SF-20, SF-10, SF-6**

Enclosures for food, small animals and commercial sales must be set back at least 100 feet from lot lines.

**L6. IA**

- a. At least 20,000 feet of contiguous land under the same ownership with no more than one single-family dwelling on the property is required in order to use the property for farming purposes.
- b. Buildings or structures for livestock must be set back a minimum 50 feet from each property line.
- c. Buildings or structures for storage and greenhouses must be set back a minimum of 20 feet from each property line.

## 1703-9.8. Transportation, Communications, & Infrastructure Use Table & Use Standards

	SF-20	SF-10	SF- 6	SF- 4	SF- 2	RM-L	RM-M	RM-H	RX	PX	NX	CX	CG	IX	IA	IH	RF-R	RF- C	RF- M	IR	PR	DD-A	DD-B	DD-C	DD-D
Transportation, Communications, Infrastructure																									
Parking/Transportation:																									
Airport	--	--	--	--	--	--	--	--	--	--	--	--	--	C <sup>1</sup>	--	-C <sup>1</sup>	--	--	-C <sup>1</sup>	--	--	--	--	--	--
Automobile holding facility	--	--	--	--	--	--	--	--	--	--	--	--	--	-L <sup>1</sup>	--	L <sup>1</sup>	--	--	P	--	--	--	--	--	--
Heliport	--	--	--	--	--	--	--	--	--	--	--	--	C <sup>2</sup>	C <sup>2</sup>	--	--	--	--	--	P	--	C <sup>2</sup>	--	C <sup>2</sup>	C <sup>2</sup>
Parking facility	--	--	--	--	--	--	C	C	--	C	C	P	P	P	--	--	--	--	--	P	C	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>
Private vehicular storage lot	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	P	--	--	P	--	--	--	--	--	--
Railroad right-of-way	--P	--P	--P	--P	--P	P	P	P	P	P	P	P	P	P	--P	P	P	P	P	--P	--P	P	P	P	P
Railroad train yard	--	--	--	--	--	--	--	--	--	--	--	--	--	L <sup>3</sup>	--	L <sup>3</sup>	--	L <sup>3</sup>	L <sup>3</sup>	--	--	--	--	--	--
Ground passenger transportation (e.g. taxi, charter bus)	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	P	P	P	--	--	P	P	P	P
Towing and other road and ground services	--	--	--	--	--	--	--	--	--	--	--	--	--	--P	--	P	--	--P	--P	--	--	--	--	--	--
Transportation passenger terminal	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	P	P	P	P	--	--	C	C	C	C
Truck terminal and warehouse	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L <sup>4</sup>	--	--	P	--	--	--	--	--	--
Communications:																									
Communications facility	--	--	--	--	--	--	--	--	--	C	P	P	P	--	--	--	--	P	P	P	--	P	--	P	P
Wireless communication tower >20 feet tall	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	
Wireless communication tower ≤20 feet tall	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wireless communications antenna >20 feet tall	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	C <sup>3</sup>	
Wireless communications antenna ≤20 feet tall	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities:																									
Public utility distribution system	C	C	C	C	C	C	C	C	C	C	P	P	P	P	--	P	P	P	P	P	--	L <sup>5</sup>	L <sup>5</sup>	L <sup>5</sup>	L <sup>5</sup>
Public utility maintenance yard	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	P	--	--	--	--	--	--	--	C	--
Public utility plant	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--	P	--	P	P	--	--	C	--	C	--
Watercraft:																									
Barge terminal	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L <sup>6</sup>	L <sup>7</sup>	--	--	--	--	--	--
Boat and ship yard	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	L <sup>8</sup>	L <sup>8</sup>	P	--	--	--	--	--	--
Commercial pier/port	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--P	--	--	--	--	--	P
Marina	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	--	--	--	--	--	P
Marine sales and service	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--P	P	--	--	--	--	--	--	--

Key: P = Permitted Use L = Limited Use C = Conditional Use -- = Use Not Permitted



## Transportation, Communications, & Infrastructure

### Parking/Transportation

#### Airport

##### C1. IX

Landing strip, pad, or apron may not be located within 500 feet of a residential district boundary.

#### Automobile Holding Facility

##### L1. IH

The facility must be:

- i. Completely enclosed on all sides with a 6-foot screen fence which is protected from damage by a guardrail or similar barriers; and
- ii. Located at least 100 feet from a residential district.

#### Heliport

##### C2. CG, IX

Landing strip, pad, or apron may not be located within 500 feet of a residential district boundary.

#### Parking Facility

##### L2. DD

The location of parking varies according to Sec. 1703-7.12.

#### Railroad Train Yard

##### L3. IX, IH, RF-C, RF-M

Not ~~allowed~~ permitted within 250 feet of a residential use in a residential district.

#### Truck Terminal and Warehouse

##### L4. IH

Not permitted within 250 feet of a residential use in a residential district.

## Communications

### Wireless Communication Tower / Antenna

#### C3. Any District Where Conditional

Approval of a conditional use is required (see Chapter 1751) for wireless communication towers and antennas greater than 20 feet in height ~~as measured from the base of the antenna to the top of the antenna.~~

##### a. Public Interest

- i. In determining whether approval of the application is in the public interest, the Zoning Hearing Examiner will evaluate whether technically suitable space is available on commercially reasonable terms on an existing tower or structure within the geographic area to be served.
- ii. To enable this determination, the applicant is required to submit with the permit application a list of the location of every tower, building or structure that could support the proposed antenna so as to allow it to serve its intended function.
- iii. The applicant must demonstrate that a technically suitable location is not available on commercially reasonable terms on an existing tower, building or structure. If another communication tower is technically suitable, the applicant must show that it has offered to allow the owner to co-locate an antenna on another tower within the city owned by the applicant on reciprocal terms and the offer was not accepted or that other tower is presumed to be reasonably available.

- iv. Consideration of these factors is in addition to the standards enumerated in Chapter 1751 for conditional uses, and in this section.
- v. The failure of an applicant to offer to other wireless communication service providers on reciprocal term rights to install wireless communication antennas on wireless communication towers within the city, controlled by the applicant, is cause to deny approval of an application for a wireless communication tower as a conditional use.

**b. Minimum Site Area**

Monopole towers in an SF- or RF-R district must be located on a site larger than three acres.

**c. Wireless Communication Network Plan Required**

Any person licensed by the Federal Communications Commission to provide wireless communication services within the City who has installed or intends to install a wireless communication antenna within the City is required to file its wireless communication network plan with the Director. A provider must file an amended plan with the Director any time there is a change in company name, ownership, location of facilities or operations. The Director must send a copy of each amended plan to every person who has filed a plan and to every community organization affected by the amendments to the plan.

**d. Permitted Attachments**

An antenna may be attached to the following types of structures:

	SF-	MF RM-	RX, NX, CX, CC, IR	DD-, I-, RF-, PFPR
Agricultural building or structure	yes	yes	yes	yes
Public or semi-public or public utility building or structure	yes	yes	yes	yes
Multi-family building or structure		yes	yes	yes
Commercial building or structure			yes	yes
Industrial building or structure				yes

**e. Required Setbacks**

- i. Poles, towers, equipment structures and antennas must meet the minimum yard standards for all setbacks as set forth in the applicable district regulations.
- ii. Wireless communication tower shall be at least 110% of its height from any residential structure that exists in any residential district at the time an application is filed.

**f. Design Compatibility**

Except for the tower or monopole structure, the facility appurtenances must be aesthetically and architecturally compatible with the architecture of the surrounding environment.

**g. Screening Required**

Screen fencing must be provided for aesthetic and public safety reasons. A fence at least 6 feet in height must be erected completely around any communication tower and any related support facilities. Barbed and razor wire fencing is prohibited in residential districts.

**h. Landscaping**

A Type B planted buffer yard is required along residential district boundaries and adjacent to residential uses, as prescribed Sec. 1711-2. Buffer yard planting may be located in a required setback area.

**i. Obsolete Facility**

The owner or operator must remove an obsolete facility within 12 months of ceasing its active use for wireless communications.

**j. Outdoor Storage**

Outdoor storage of any supplies, vehicles or equipment related to the use of the facility is prohibited in a residential district.

**k. Lighting**

An antenna or a tower may not be illuminated and lighting fixtures or signs may not be attached to the antenna or tower, except as required by law or to protect the safety of the general public.

**l. Certification**

The applicant must provide written certification from a registered engineer that the antenna and tower will comply with all applicable federal, state and local regulations pertaining to the construction.

**m. Tower Height**

A tower must be a monopole unless the tower is more than 200 feet high.

**n. Limitations on Authority to Deny**

- i. The Zoning Hearing Examiner may not deny an application for a wireless communication antenna as a conditional use if the denial would unreasonably discriminate among providers of functionally equivalent services or prohibit or have the effect of prohibiting the provision of personal wireless services.

- ii. The Zoning Hearing Examiner may not deny an application for a wireless communication antenna as a conditional use on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Federal Communication Commission's regulations concerning such emissions.
- iii. The Zoning Hearing Examiner may not deny an application for a conditional use for the collocation of new transmission equipment, the removal of transmission equipment, or the replacement of transmission equipment on an existing wireless communications tower, antenna or any base station that does not substantially change the physical dimensions of such communications tower, antenna, or base station.

**Utilities**

**Public Utility Distribution System**

**L5. DD**

The facility must be underground, within a building or on the roof within an enclosure.

**Watercraft**

**Barge Terminal**

**L6. RF-C**

All storage to be in completely enclosed facilities.

**L7. RF-M**

Outdoor storage of chemicals, minerals and aggregate requires a conditional use approval (see Chapter 1751).

**Boat and Ship Yards**

**L8. RF-R, RF-C**

All storage to be in completely enclosed facilities.

## 1703-9.9. **Accessory** Use Table & Use Standards

	SF-20	SF-10	SF- 6	SF- 4	SF- 2	RM-L	RM-M	RM-H	RX	PX	NX	CX	CG	IX	IA	IH	RF-R	RF- C	RF- M	IR	PR	DD-A	DD-B	DD-C	DD-D
Accessory																									
Any accessory use not listed below	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	L <sup>1</sup>	
Amateur radio and satellite antennas	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	L <sup>2</sup>	
Automatic teller machine	--	--	--	--	--	--	--	--	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>	L <sup>3</sup>	
<u>Breweries, wineries, or distilleries</u>	--	--	--	--	--	--	--	--	--	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	--	--	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	L <sup>4</sup>	
Car wash	--	--	--	--	--	--	--	--	--	--	C	L <sup>5</sup>	L <sup>5</sup>	L <sup>5</sup>	--	--	--	--	--	--	--	L <sup>6</sup>	L <sup>6</sup>	L <sup>6</sup>	L <sup>6</sup>
Commercial service	--	--	--	--	--	--	L <sup>7</sup>	L <sup>7</sup>	L <sup>7</sup>	L <sup>7</sup>	L <sup>7</sup>	L <sup>7</sup>	L <sup>7</sup>	L <sup>7</sup>	--	--	L <sup>7</sup>	--	--	L <sup>7</sup>	--	L <sup>7</sup>	L <sup>7</sup>	L <sup>7</sup>	L <sup>7</sup>
Commercial vehicle parking	L <sup>8</sup>	L <sup>8</sup>	L <sup>8</sup>	L <sup>8</sup>	L <sup>8</sup>	L <sup>8</sup>	L <sup>8</sup>	L <sup>8</sup>	--	--	P	P	P	L <sup>9</sup>	P	P	--	P	P	--	--	P	P	P	P
Composting facility	--	--	--	--	--	--	--	--	--	--	--	--	--	L <sup>10</sup>	L <sup>10</sup>	L <sup>10</sup>	--	--	--	--	--	--	--	--	--
Day care center	L <sup>12</sup>	L <sup>12</sup>	L <sup>12</sup>	L <sup>12</sup>	L <sup>12</sup>	L <sup>12</sup>	L <sup>12</sup>	L <sup>12</sup>	--	--	L <sup>11</sup>	L <sup>11</sup>	L <sup>11</sup>	L <sup>11</sup>	--	--	L <sup>11</sup>	L <sup>11</sup>	--	L <sup>11</sup>	L <sup>11</sup>	L <sup>11</sup>	L <sup>11</sup>	L <sup>11</sup>	L <sup>11</sup>
Day care home, adult	--	--	--	--	--	C	C	C	P	P	P	--	--	--	--	--	C	--	--	P	--	P	P	P	P
Day care home, Type A (7 - 12 Children)	--	--	--	--	--	C	C	C	L <sup>13</sup>	L <sup>13</sup>	L <sup>13</sup>	--	--	--	--	--	C	--	--	L <sup>13</sup>	--	L <sup>13</sup>	L <sup>13</sup>	L <sup>13</sup>	L <sup>13</sup>
Day care home, Type B (1 - 6 children)	L <sup>14</sup>	L <sup>14</sup>	L <sup>14</sup>	L <sup>14</sup>	L <sup>14</sup>	L <sup>14</sup>	L <sup>14</sup>	L <sup>14</sup>	L <sup>14</sup>	L <sup>14</sup>	L <sup>14</sup>	--	--	--	--	--	L <sup>14</sup>	--	--	L <sup>14</sup>	--	L <sup>14</sup>	L <sup>14</sup>	L <sup>14</sup>	L <sup>14</sup>
Drive box	L <sup>15</sup>	L <sup>15</sup>	L <sup>15</sup>	L <sup>15</sup>	L <sup>15</sup>	L <sup>15</sup>	L <sup>15</sup>	L <sup>15</sup>	L <sup>16</sup>	L <sup>16</sup>	L <sup>16</sup>	L <sup>16</sup>	L <sup>16</sup>	L <sup>16</sup>	L <sup>16</sup>	L <sup>16</sup>	L <sup>16</sup>	--	--	L <sup>17</sup>	L <sup>15</sup>	--	--	--	--
Drive-thru <b>Components</b>	--	--	--	--	--	--	--	--	--	--	--	C	L <sup>18</sup>	L <sup>18</sup>	--	--	--	--	--	--	--	--	--	--	--
Exterior lighting	L <sup>19</sup>	L <sup>19</sup>	L <sup>19</sup>	L <sup>19</sup>	L <sup>19</sup>	L <sup>19</sup>	L <sup>19</sup>	L <sup>19</sup>	L <sup>19</sup>	L <sup>19</sup>	L <sup>19</sup>	L <sup>19</sup>	L <sup>19</sup>	L <sup>19</sup>	L <sup>19</sup>	L <sup>19</sup>	L <sup>19</sup>	L <sup>19</sup>	L <sup>19</sup>	L <sup>19</sup>	L <sup>19</sup>	L <sup>19</sup>	L <sup>19</sup>	L <sup>19</sup>	
Fences and walls	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	L <sup>20</sup>	
Home occupation	L <sup>21</sup>	L <sup>21</sup>	L <sup>21</sup>	L <sup>21</sup>	L <sup>21</sup>	L <sup>21</sup>	L <sup>21</sup>	L <sup>21</sup>	L <sup>21</sup>	L <sup>21</sup>	L <sup>21</sup>	L <sup>21</sup>	L <sup>21</sup>	L <sup>21</sup>	L <sup>21</sup>	L <sup>21</sup>	L <sup>21</sup>	--	--	L <sup>21</sup>	--	L <sup>21</sup>	L <sup>21</sup>	L <sup>21</sup>	L <sup>21</sup>
Home office	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	P	--	--	--	--	--	P	P	P	P
Laundry/commissary	--	--	--	--	--	--	--	--	--	--	--P	--P	--P	--P	--	--	L <sup>22</sup>	L <sup>22</sup>	--	--	--	--	--	--	--
Office	--	--	--	--	--	P	P	P	P	P	P	P	P	P	P	P	--	L <sup>23</sup>	L <sup>23</sup>	P	--	P	P	P	P
Outdoor dining	--	--	--	--	--	--	--	--	L <sup>24</sup>	L <sup>24</sup>	L <sup>24</sup>	L <sup>24</sup>	L <sup>24</sup>	L <sup>24</sup>	--	--	C	C	--	--	--	L <sup>24</sup>	L <sup>24</sup>	L <sup>24</sup>	L <sup>24</sup>
Outdoor entertainment	--	--	--	--	--	--	--	--	--	--	--	L <sup>25</sup>	L <sup>25</sup>	L <sup>25</sup>	--	--	--	--	--	--	--	L <sup>25</sup>	L <sup>25</sup>	L <sup>25</sup>	L <sup>25</sup>
Outside storage	--	--	--	--	--	--	--	--	--	--	--	--	L <sup>26</sup>	L <sup>26</sup>	L <sup>26</sup>	L <sup>26</sup>	--	L <sup>26</sup>	L <sup>26</sup>	L <sup>26</sup>	L <sup>26</sup>	--	--	--	--
Portable storage container	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>	L <sup>27</sup>
Storage, refuse	L <sup>28</sup>	L <sup>28</sup>	L <sup>28</sup>	L <sup>28</sup>	L <sup>28</sup>	L <sup>28</sup>	L <sup>28</sup>	L <sup>28</sup>	L <sup>28</sup>	L <sup>28</sup>	L <sup>28</sup>	L <sup>28</sup>	L <sup>28</sup>	L <sup>29</sup>	L <sup>29</sup>	L <sup>29</sup>	L <sup>29</sup>	L <sup>29</sup>	L <sup>29</sup>	L <sup>29</sup>	L <sup>28</sup>	L <sup>28</sup>	L <sup>28</sup>	L <sup>28</sup>	L <sup>28</sup>
Religious accessory housing (convent, monastery, parsonage, etc.)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--	--	--	--P	--	P	--	P	P	P	P
Rooming unit	L <sup>30</sup>	L <sup>30</sup>	L <sup>30</sup>	L <sup>30</sup>	L <sup>30</sup>	L <sup>30</sup>	L <sup>30</sup>	L <sup>30</sup>	L <sup>30</sup>	L <sup>30</sup>	L <sup>30</sup>	L <sup>30</sup>	L <sup>30</sup>	L <sup>30</sup>	L <sup>30</sup>	--	L <sup>30</sup>	--	--	L <sup>30</sup>	--	L <sup>30</sup>	L <sup>30</sup>	L <sup>30</sup>	L <sup>30</sup>
Small-scale specialized incinerator	--	--	--	--	--	--	--	--	--	--	L <sup>31</sup>	L <sup>31</sup>	L <sup>31</sup>	L <sup>31</sup>	L <sup>31</sup>	L <sup>31</sup>	--	L <sup>31</sup>	L <sup>31</sup>	L <sup>31</sup>	L <sup>31</sup>	--	--	--	--
Truck docks and loading									L <sup>32</sup>	L <sup>32</sup>	L <sup>32</sup>	L <sup>32</sup>	L <sup>32</sup>	L <sup>32</sup>	L <sup>32</sup>	L <sup>32</sup>	L <sup>32</sup>	L <sup>32</sup>	L <sup>32</sup>	L <sup>32</sup>	L <sup>32</sup>	L <sup>32</sup>	L <sup>32</sup>	L <sup>32</sup>	L <sup>32</sup>
Vending machines	L <sup>34</sup>	L <sup>34</sup>	L <sup>34</sup>	L <sup>34</sup>	L <sup>34</sup>	L <sup>34</sup>	L <sup>34</sup>	L <sup>34</sup>	L <sup>33</sup>	L <sup>33</sup>	L <sup>33</sup>	L <sup>33</sup>	L <sup>33</sup>	L <sup>33</sup>	L <sup>33</sup>	L <sup>33</sup>	L <sup>33</sup>	L <sup>33</sup>	L <sup>33</sup>	L <sup>33</sup>	L <sup>33</sup>	L <sup>33</sup>	L <sup>33</sup>	L <sup>33</sup>	L <sup>33</sup>

Key: P = Permitted Use L = Limited Use C = Conditional Use -- = Use Not Permitted

## Accessory Uses

### Any Accessory Use Not Listed Below

#### L1. Any District Where Permitted

Accessory uses determined by the Director to be customarily incidental to a use of the district are permitted. All others require conditional use approval (see Chapter 1751).

### Amateur Radio and Satellite Antennas

The intent of these regulations is only to locate such antennas and equipment where they are least visible from public rights-of-way in the vicinity, while not burdening adjacent property owners with adverse visual impacts. The intent is not to discriminate against dish antennas in favor of other communications facilities. Installation of this equipment and antennas is governed by the following:

#### Amateur Radio Antennas

##### L2. Any District Where Permitted

An amateur radio antenna may only be installed on a lot in any district if it complies with the following criteria:

###### a. Location

Only allowed permitted in the rear yard.

###### b. Maximum Height

15 feet above the district height limit, provided that additional height may be authorized with a conditional use approval (see Chapter 1751).

###### c. Surface Materials and Finishes

Highly reflective surfaces are not permitted.

## Parabolic Antennas

### L2. Any District Where Permitted

A parabolic or satellite antenna less than 2 feet in diameter may be installed in any district. An antenna greater than 2 feet in diameter may be installed if it complies with the following criteria:

#### a. Setbacks

Parabolic antennas must be located in a rear yard a minimum distance from all property lines equivalent to two times the height of the antenna. The distance is determined from the base support of the antenna to the nearest point on a property line.

#### b. Maximum Height

12 feet

## Automatic Teller Machine

### L3. Any District Where Permitted

#### a. Drive-Thru

See Sec. 1703-~~10.8.L9~~, [Accessory Uses](#) if the ATM has drive-thru facilities.

#### b. User Comfort

Where ATMs are located on the exterior of a building, weather protection must be provided in the form of an awning or shallow portico.

#### c. Security

ATM facilities must have adequate lighting for security purposes.

#### d. Litter

ATM facilities must include at least one trash receptacle.

## Breweries and Wineries

### L4. Any District Where Permitted

Beer and wine production accessory to a limited or full service restaurant is limited to 10,000 square feet and may not produce any objectionable odor, dust or fumes.



## **Car Wash**

### **L5. Any District Where Permitted**

#### **a. Location**

Permitted on arterial streets only.

#### **b. Setbacks**

No building or structure may be located within 20 feet of any street lot line.

#### **c. Queue Area**

Each facility must provide sufficient queue area in advance of the car wash area to accommodate 2 vehicles in advance of a self-service bay and 6 vehicles in advance of an automatic service bay.

#### **d. Litter**

One permanent trash receptacle per wash bay is required.

#### **e. Noise**

Sound baffles to absorb noise must be installed at all facilities creating noise levels above 70 decibels at the property line.

### **L6. DD**

Permitted only within a parking garage.

## **Commercial Services**

### **L7. Any District Where Permitted**

#### **a. Multi-Family, 100+ Dwelling Units**

Eating and drinking establishments, commissaries, residential concierge services, self-service laundries, automated teller machines and barber and beauty shops are permitted as accessory uses to multi-family developments in a single building with 100 or more dwelling units, provided that:

##### **i. Floor Area**

The accessory uses may not exceed in the aggregate, 5% of the total floor area of the building.

#### **ii. Commissaries**

Commissaries may not exceed a maximum floor area of 500 square feet for the first 100 dwelling units and an additional 5 square feet for each dwelling unit over 100 up to a maximum floor area of 750 square feet.

#### **iii. Interior Access**

Access to the accessory uses is from the interior of the building.

#### **iv. Loading**

The loading and unloading of trucks and service vehicles is conducted inside a building or, if outside a building, any loading or unloading of trucks and any area used or designed to be used primarily by trucks and service vehicles may be no less than 50 feet from the nearest lot line located in or abutting an SF, or RM District.

#### **v. Displays and Signs**

The display of goods or services outside of the building is prohibited and advertising pertaining to such uses may not be visible from the exterior of the building, except that:

- » One identification sign as a non-illuminated or indirect illuminated wall sign is permitted not exceeding eight square feet in area, but there may only be one such wall sign, irrespective of the number of accessory uses in the building.
- » One non-illuminated or indirectly illuminated identification sign erected as a ground sign is permitted for each street frontage. Each sign face may not exceed 12 square feet.

**b. Multi-Family, 200+ Dwelling Units**

Eating and drinking establishments, commissaries, residential concierge services, self-service laundries and automated teller machines are permitted as accessory uses to multi-family developments with 200 or more dwelling units in two or more buildings, provided that:

**i. Floor Area**

The total floor area of such uses is not more than 5,000 square feet;

**ii. Location**

The building or buildings containing such uses and the associated parking and loading areas may be no less than 300 feet from the property line of any abutting property.

**iii. Displays and Signs**

The display of goods or services outside of the building in which such uses are located is prohibited and advertising pertaining to such uses may not be visible from the exterior of the building, except for one non-illuminated or indirectly-illuminated identification sign erected as a ground or wall sign not exceeding 8 square feet.

**Commercial Vehicle Parking**

**L8. SF-, MFRM-**

One commercial vehicle completely enclosed in a garage may be parked or stored on the lot except:

- a. An unlimited number of commercial vehicles conveying the necessary tools, materials and equipment that are used on the premises during the actual time of parking.

- b. One commercial vehicle with a current license owned by a resident of the residential property on which it is stored or parked, up to 2 tons in capacity, may be enclosed or located outside of an enclosed structure.
- c. Vehicles, watercraft and personal trailers may be parked on the lot beyond the front yard.

**L9. IX**

One commercial vehicle may be parked or stored on property used for residential purposes if:

- a. Commercial vehicles with current license owned by a resident of the residential property on which it is stored or parked may not exceed 2 tons in capacity.
- b. Recreational vehicles, watercraft and personal trailers may be parked on the lot beyond the front yard.

**Composting Facilities**

**L10. IA**

**a. On-Site**

Composting, other than private residential composting, must be of materials generated on-site.

**b. Amount of Material**

A maximum of 10 cubic yards of material may be composted for every acre or fraction of an acre of the site.

**c. Screening**

The composting material must be enclosed in a screen fence or structure.

**d. Enclosure Location**

Material composting must be at least 100 feet from any property used for residential purposes. Composting may only take place outside the 100-year floodplain.

## Day Care Center

### L11. Any District Where Permitted

Outdoor play areas must be located in the rear yard, and be enclosed by a fence or wall of at least 4 feet in height.

### L12. SF-, RM-

Must be accessory to a permitted principal recreation, education or public use in the district. The use must meet all standards in L11.

## Day Care, Type A

### L13. Any District Where Permitted

Outdoor play areas must be located in the rear yard, and be enclosed by a fence or wall of at least 4 feet in height.

## Day Care, Type B

### L14. Any District Where Permitted

Outdoor play areas must be located in the rear yard, and be enclosed by a fence or wall of at least 4 feet in height.

## Drive Box

### L15. SF-, ~~MFRM~~-, PR

- a. Must be accessory to a permitted principal recreation, education or public use in the district
- b. At least 100 feet from any property used for residential purposes.

### L16. RX, ~~PX~~, NX, CX, ~~CG~~, IX, IA, IH, IR

- a. The storage space is less than 30 cubic yards
- b. Enclosed by a screen fence or within a structure
- c. At least 100 feet from any property used for residential purposes.

### L17. RF-R

- a. Must be accessory to a permitted principal recreation, education or public use in the district

- b. At least 100 feet from any property used for residential purposes.
- c. Outside the 100-year floodplain.

## Drive-Thru Components

### L18. Any District Where Permitted

#### a. Location

- i. ~~Drive-thru lanes cannot be located between buildings and adjacent streets. Parking, stacking and circulation aisles are not permitted between a public street right-of-way line and a principle building.~~
- ii. ~~Drive-thru pickup windows and coverings are prohibited on primary building frontages and shall be attached to the rear or side of a principle building.~~
- iii. ~~In order to protect pedestrian children, no drive-thru establishment shall be constructed on any lot that abuts a school, park, or playground.~~

#### b. Pedestrian Walkways

Pedestrian walkways must have clear visibility and be emphasized by enhanced paving (such as brick pavers) or markings when they intersect the drive-in or drive-through aisles.

#### c. Location

- i. All service areas, trash storage areas and mechanical equipment must be screened from ground-level view and from adjacent properties or public rights-of-way (see Sec 1703-~~10.8.V9~~, Refuse Storage).
- ii. ~~All sources of light emitted from the drive-thru establishment shall be directed, shaded, shielded or otherwise arranged so as not to produce glare in abutting residential use.~~

d. **Menu Boards**~~Drive-Thru Components~~

Must be located at least 50 feet from any residential district boundary. Menu boards shall not count against the total sign area of the property.

e. **Speaker Noise**

Speaker noise levels shall not be audible on any abutting residential district.

f. **Litter**

At least one permanent trash receptacle must be installed along each drive-thru lane.

g. **Hours of Operation**

Retail sales from drive-thru lanes of a drive-thru establishment abutting any SF or RM district shall be prohibited from 10:00 P.M. to 6:00 A.M. daily.

1. ~~CX~~

~~Drive-thru facilities on a corner lot require conditional use approval (see Chapter 1751).~~

## Exterior Lightning

### L19. Any District Where Permitted

See Sec. 1711-4.

## Fences and Walls

### L20. Any District Where Permitted

a. **General**

Fences and walls are permitted in all zoning districts and may be required for specific uses or as buffering between certain uses (see Sec. 1711-2).

b. **Maximum Height**

- i. In any front, corner side yard or corner rear yard the maximum height of any fence or wall or fence/wall combination cannot exceed 4 feet in residential districts and 6 feet in all other districts

and may not exceed an opacity of 50%.  
(EXCEPTION: Fences and walls used as parking lot screening per Sec. 1711-2.7.)

- ii. In any interior side or rear yard, the maximum height may not exceed 6 feet and may be 100% opaque.

c. **Entry Gateway**

An entry gateway, trellis or other entry structure may be permitted in the required front yard provided the maximum height and width do not exceed 10 feet.

d. **Driveway Visibility**

All fences are subject to the driveway visibility requirements of ~~§ 1706-5. Sec.~~ 1711-1.4.G

e. **Electrical Fences and Razor Wire**

Electrical, barbed and razor wire fences are an accessory conditional use in any Mixed Use and Commercial, Industrial or Riverfront District, and are prohibited in all other districts.

f. **Decks and Railings**

Within the limits of a rear yard in a residential district, decks and railings for above ground swimming pools may be up to 8 feet above grade and located at least 3 feet from all property lines.

## Home Occupation

### L21. Any District Where Permitted

a. **Purpose**

These regulations give residents an opportunity to use their homes as a business. Home occupations are permitted in a way that protects adjacent residential areas from potential adverse impacts they may cause. This section assures compatibility between the home occupation and neighboring properties, while retaining the residential character of the building where the home occupation is conducted.

**b. Uses**

Home occupations may not include retail sales and are limited to personal services that can be performed on the premises in oral, written, fine-arts, manual-crafts, home-crafts or graphic-arts forms, limited business and professional office activities, or similar occupations.

**c. Location**

All activities (including accessory storage) must occur entirely within the dwelling unit or an accessory building.

**d. Number**

Two home occupations may occur in a single dwelling unit if together they do not exceed the area limitation below, or violate any other conditions specified in this subsection.

**e. Employees**

The business can only be conducted by residents of the dwelling.

**f. Area**

The gross floor area exclusively devoted to the home occupation (including accessory storage) may not exceed the lesser of 25% of the habitable gross floor area of the dwelling unit, or 500 square feet.

**g. Sales**

Merchandise, supplies or stock in trade may not be sold on the premises. However, customers or clients may pick up orders made either through the telephone or at sales meetings outside of the dwelling where the home occupation is located.

**h. Display/Storage**

- i. Outdoor display or storage of materials, goods, supplies, or equipment is not permitted in connection with a home occupation.

- ii. Goods and materials that identify the home occupation may not be displayed so as to be visible from outside the building.
- iii. The home occupation may not be conducted or advertised in a way that generates vehicular or pedestrian traffic in greater volume than that normally expected in the residential district in which the home occupation is located.
- iv. A home occupation may not produce noise, odors, vibrations, glare, fumes or electrical interference above those levels normally expected in a residential neighborhood.
- v. Hazardous or toxic materials may not be used or stored on-site in quantities that could have a potentially significant environmental impact on the property or on the surrounding community. A hazardous or toxic material is one which is subject to the reporting provisions of Section 313 of Subtitle B of the Environmental Planning and Community Right-to-Know Act of 1986, 42 U.S.C. Section 11023.

**i. Building Appearance**

The exterior appearance of the building may not be altered to accommodate the home occupation in a way that is inconsistent with the building's residential character.

**Laundry/Commissary**

**L22. RF-R, RF-C**

Must be accessory to a marina.

**Office**

**L23. RF-C, RF-M**

May be accessory to a permitted or conditional use (see Chapter 1751), and limited to 20,000 square feet of gross floor area.



## Outdoor Dining

### L24. Any District Where Permitted

Outdoor areas for eating or drinking establishments must be located, developed and operated in compliance with the following:

#### a. Location

Outdoor areas on any public sidewalk or alley require a revocable street privilege. Any outdoor area located within 100 feet of a residential district requires conditional use approval (see Chapter 1751).

#### b. Maximum Size

Within 500 feet of a residential district, the outdoor area may not exceed 50% of the indoor area accessible to the public. Additional area requires conditional use approval (see Chapter 1751).

#### c. Barriers

Decorative walls or fencing must enclose an outdoor area.

#### d. Fixtures

Furniture and fixtures provided for use in an outdoor area may consist only of movable tables, chairs, umbrellas, planters, lights and heaters. Lighting fixtures may be permanently affixed onto the exterior of the building. All movable furniture and fixtures must be removed during the off-season.

#### e. Hours of Operation

Within 100 feet of a residential district, the use of outdoor areas is prohibited between Midnight and 7 AM on Friday and Saturday and 10 PM and 7 AM on all other days, unless a conditional use is approved (see Chapter 1751). In all other locations, the use of outdoor areas is prohibited after 2 AM.

## Outdoor Entertainment

### L25. Any District Where Permitted

Within 500 feet of a residential district, outdoor entertainment, including the use of audio/visual equipment or amplified sound is prohibited without a conditional use approval (see Chapter 1751).

## Outdoor Storage

### L26. Any District Where Permitted

See Sec. 1711-5.

## Portable Storage Container

### L27. Any District where permitted

#### a. Location

Portable storage containers must be located on a paved surface and be setback a minimum of 10 feet from the front lot line.

#### b. Maximum Size

The maximum size for a portable storage container is 8 feet by 16 feet with a maximum height of 8 feet 6 inches.

#### c. Time Limitation

Portable storage containers are permitted for a total of 30 days within a calendar year.

#### d. Number Permitted

Two portable storage containers may be placed on a lot at the same time.

## Refuse Storage

### L28. Any District where permitted

In order to provide adequate, accessible and convenient locations for the collection and storage of recyclable materials and refuse within containers and enclosures that are compatible with surrounding land uses and structures, refuse and recycling containers required for all residential and nonresidential developments (see Chapter 729 of the Municipal Code) must comply with the following:

**a. Access**

Driveways and aisles must be unobstructed.

**b. Enclosure**

All refuse collections and recycling containers must be enclosed or screened so as not to be visible from the right-of-way or other publicly accessible areas. The structure must be enclosed on all sides, one of which includes a gate or door that can be secured.

**c. Location**

The enclosures may not be located in any required front yard, street side yard, required parking or landscape areas or any other area required by law to be maintained.

**d. Enclosure Materials**

The enclosure may consist of screen fencing of chain link with slats, solid wood, vinyl fencing or masonry walls.

**e. Height**

A minimum of one foot taller than the container and no taller than 8 feet.

**f. Landscaping**

The exterior perimeter of the enclosure must be landscaped excluding the access point.

**g. Maintenance**

Enclosures must be maintained in a manner that protects adjacent properties as well as tenants located on the subject property from adverse environmental, health and safety impacts such as noise, odors and attraction of rodents or other pests. The receptacle must be covered by either a roof on the enclosure or covered receptacles.

**h. Hours of Operation**

The use of refuse storage areas is prohibited between 11 PM and 7 AM on weekends and between 10 PM and 7 AM on weekdays if located within 50 feet of residential district boundaries.

**L29. I-, RF-, IR**

The requirements above apply only if the refuse storage area is within 100 feet of any property used for residential purposes.

**Rooming Unit**

**L30. Any District Where Permitted**

No more than 2 rooming units may be rented or leased in a single-family dwelling or individual dwelling unit.

**Small Scale Specialized Incinerator**

**L31. Any District Where Permitted**

- a. ~~Allowed~~ Permitted if accessory to hospitals, medical services, clinics commercial laboratories and research and development uses.
- b. The material incinerated must be generated on-site, and be located on a roof or at least 100 feet from any property used for residential purposes.

**Truck Docks and Loading**

**L32. Any District Where Permitted**

See 1711-1.9.

**Vending Machines**

**L33. Any District Where Permitted**

- a. Outdoor vending machines shall be accessory only to schools, golf courses, athletic facilities, parks and retail uses.
- b. When located at schools, golf courses, athletic facilities and parks, outdoor vending machines shall be enclosed or screened with an opaque fence or landscaping.
- c. For retail uses, outdoor vending machines are allowed only for:

- i. Single occupant buildings with more than 4,000 square feet of gross floor area.
  - ii. Individual tenants in a multi-tenant building that have at least 30 lineal feet of storefront.
- d. Vending machines must be maintained in good operating condition and be free from rust and adornments such as graffiti, stickers and posters.
- e. Vending machines may not be located:
  - i. Within any required setback, landscaping or bufferyard.
  - ii. So as to obstruct or interfere with pedestrian travel.
  - iii. Within 5 feet from a crosswalk, ~~display~~ window, building entrance, fire hydrant or other emergency facility.
  - iv. With more than three machines at any location.
  - v. Closer than 100 feet to another group of vending machines.
  - vi. Within the public right-of-way.

**L34. SF-, RM-**

Vending machines may not be located outside any building or accessory building used for residential purposes in a residential district. The use must meet all standards in L33.



## Sec. 1703-10. Rules of Measurement

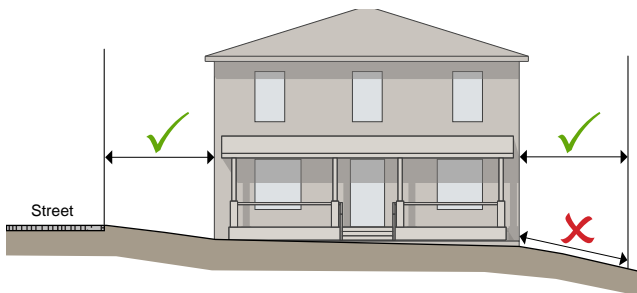
Listed below are the measurement and general provisions for the district standards listed in Sec. 1703-1 through Sec. ~~1703-8~~ 1703-8. Terms not listed below may be defined in Chapter 1753.

### 1703-10.1. Distances

Distances are measured as follows:

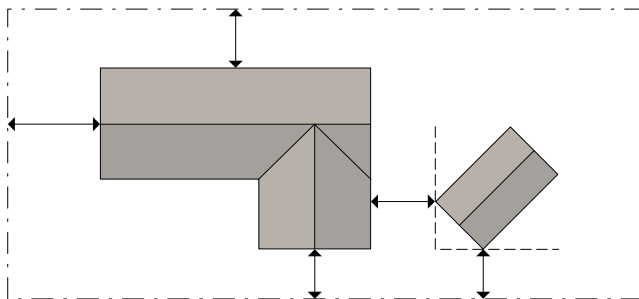
#### A. Distances Measured Horizontally

When determining distances for setbacks and structure dimensions, all distances are measured along a horizontal plane from the appropriate line, edge of building, structure, storage area, parking area or other object. These distances are not measured by following the topography of the land.



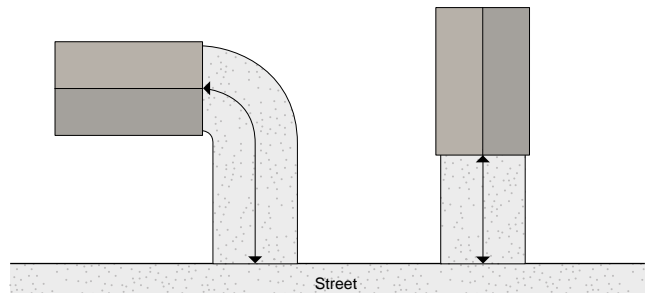
#### B. Measurements are Shortest Distance

When measuring a required distance, such as the minimum distance between a structure and a lot line, the measurement is made at the closest or shortest distance between the two objects. Exceptions are stated in paragraphs C, D, and E below.



#### C. Measurement of Vehicle Stacking or Travel Areas

Measurement of a minimum travel distance for vehicles, such as garage entrance setbacks and stacking lane distances, is measured down the center of the vehicle travel area. For example, curving driveways and travel lanes are measured along the arc of the driveway or traffic lane.



#### D. Measurements Involving a Structure

Measurements involving a structure are made to the closest wall of the structure. Chimneys, eaves and bay windows up to 12 feet in length, are not included in the measurement. Other features, such as covered porches and entrances, are included in the measurement.

#### E. Underground Structures

Structures or portions of structures that are entirely underground are not included in measuring required distances.

### 1703-10.2. Floor Area Ratio

The floor area ratio is measured as the proportion of allowable building gross floor area divided by the area of the parcel of land on which the building rests. For purposes of calculating the floor area ratio, gross floor area associated with the following is excluded:



- A. Attic space having a headroom of 7 feet or less.
- B. Space devoted exclusively to parking and loading within the building.
- C. Utility or furnace rooms.
- D. Space used for incidental service storage.
- E. Space used for the installation of mechanical equipment, ventilators, heating systems and similar uses.
- F. Space for the common recreational use of tenants and guests that is not part of a dwelling unit.

### 1703-10.3. Lot

#### A. Principal Structures

No more than one principal structure may be constructed on a lot unless the development of more than one structure has been approved under Sec. 1703-910.2.A.1 or Sec. 1703-8.

#### B. Lot Area for Lots of Record

In any SF- or RM- district, a single-family dwelling may be erected on a lot less than the minimum lot area specified for the district provided that:

1. The lot has been of record as defined in Chapter 1753;
2. The structure complies with all the yard and height regulations of the district; and
3. The area of the lot is no less than:
  - a. SF-20: 16,000 square feet;
  - b. SF-10: 8,000 square feet;
  - c. SF-6: 4,800 square feet;
  - d. SF-4: 3,200 square feet;
  - e. SF-2: 1,600 square feet;
  - f. RM-L: 2,000 square feet; and
  - g. RM-M, RM-H: 1,600 square feet.

#### C. Lot Area Reductions Due to Public Acquisition

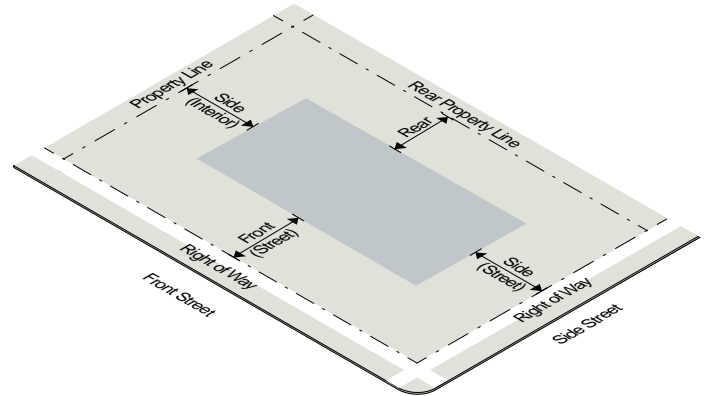
If a portion of a legally existing lot in any district is acquired for public use, the remaining lot area and setbacks are considered in compliance.

### 1703-10.4. Building Setbacks

#### A. Type of Setbacks

There are 4 types of setbacks – front street, side street, side interior and rear. Building setbacks apply to both principal and accessory buildings or structures except where it explicitly states otherwise.

#### B. Measurement of Building Setbacks



1. The front street setback is measured at a right angle from the right-of-way line.
2. Where a lot extends through the block from street to street, the required front yard must be provided along each street.
3. The side street setback is measured at a right angle from the side street right-of-way line.
4. The rear setback is measured at a right angle from the rear lot line or the rear right-of-way or easement line where there is an alley. The rear lot line is the lot line opposite to the front street lot line. Where there is more than one front street, the Director will determine the rear lot line based on the criteria in Sec. 1703-10.4.D.
5. All lot lines which are not front street, side street or rear lot lines are considered side interior lot lines for the purpose of measuring setbacks. Side interior setbacks are measured at a right angle from the side lot line.

6. When the side interior or rear setback is 0 or 5 feet, the building or structure may be placed on the lot line or be placed a minimum of 5 feet from the lot line.
7. When the rear setback is 4 or 20 feet, the building or structure may be placed 4 feet from the lot line or be placed a minimum of 20 feet from the lot line.

### C. Irregular Shaped Lots

The Director will determine setbacks for irregular-shaped lots. **Irregular shaped lots are lots with more or less than 4 sides, contain an arc, or are bounded by three streets.**

### D. Front and Side Street Designation

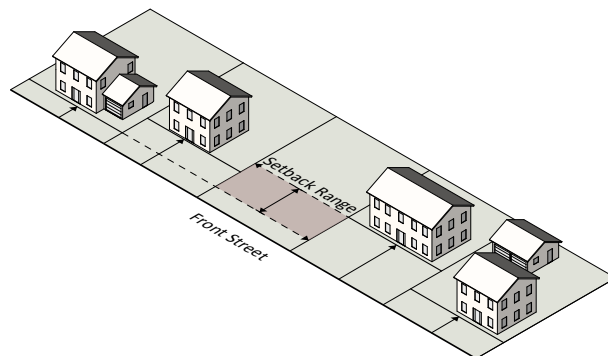
1. Where only one street abuts a lot, that street is considered a front street.
2. A lot with more than one street front must designate at least one front street. A lot may have more than one front street. The Director will determine which streets are front streets based on:
  - a. The street or streets with the highest classification;
  - b. The established orientation of the block;
  - c. The street or streets abutting the longest face of the block;
  - d. The street or streets parallel to an alley within the block;
  - e. The street that the lot takes its address from; and
  - f. The pedestrian orientation of adjacent or abutting development, existing or proposed.

### E. Front Setback Averaging

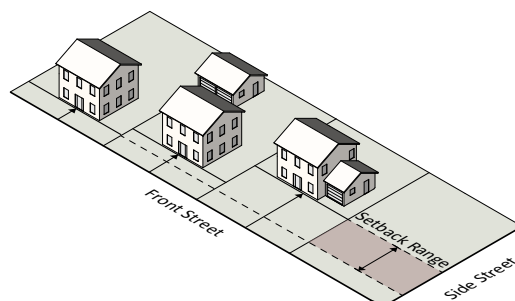
The front street setback requirements for principal buildings in **R-SF-20, and SF R-10, R-6, R-4, R-2 and RM-L** must meet the following requirements:

1. The lot must have been recorded for at least 20 years. This time period includes subsequent recombinations or subdivisions of the original lot configuration or recordation.

2. The proposed building must be located within the range of front setbacks, no closer than the smallest setback in the range and no further than the largest setback in the range.
3. On an interior lot, the range of setbacks is measured on the basis of the 2 closest lots in either direction along the block face.



4. On a corner lot, the range of setbacks is measured on the basis of the 3 closest lots along the block face.

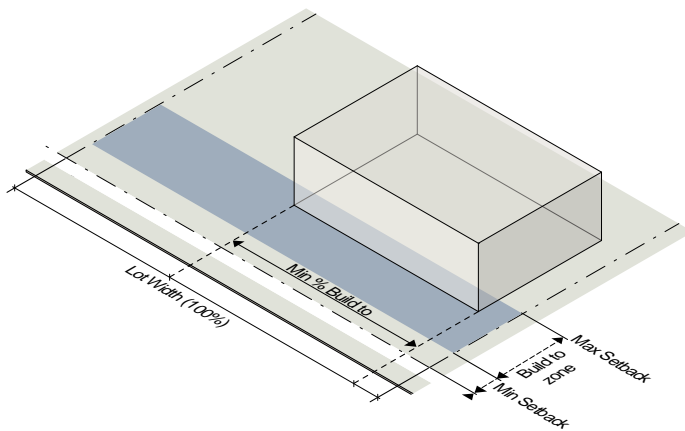


5. Where the calculation cannot be applied to at least 4 lots on an interior lot or 3 lots on a corner lot, the building must meet the district standards.

## 1703-10.5. Facade Zone

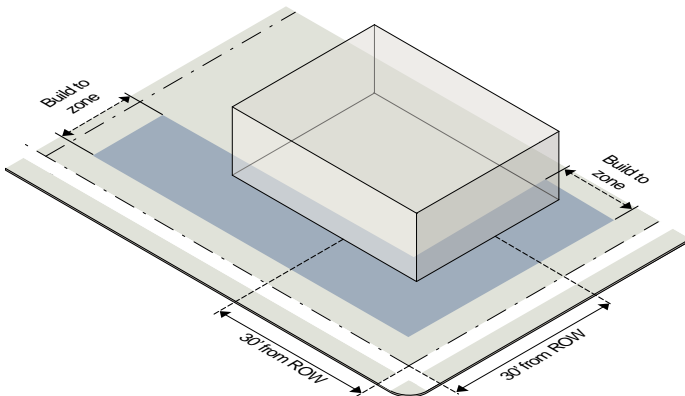
### A. Defined

1. The facade zone is the area on the lot where a certain percentage of the building facade must be located, measured as a minimum and maximum setback range from the edge of the right-of-way.
2. The required percentage specifies the amount of the building facade that must be located in the facade zone, measured based on the width of the building divided by the width of the lot.



### B. Corner Lot

On a corner lot and when required, a building facade must be placed within the facade zone for the first 30 feet along the street extending from the block corner, measured from the intersection of the two right-of-way lines.



### C. Uses **Allowed Permitted**

With the exception of parking spaces and outdoor storage, all structures and uses (including outdoor dining) **allowed permitted** on the lot are **allowed permitted** in the facade zone.

## 1703-10.6. Setback Encroachments

All buildings and structures must be located at or behind required setbacks except as listed below. The Director can determine that an encroachment not listed is similar to a listed encroachment and allow the encroachment. No building or structure can extend into a required easement or public right-of-way.

### A. Building Features

1. Building eaves, roof overhangs, gutters, downspouts, light shelves, bay windows and oriel less than 10 feet wide, chimneys, flues cornices, belt courses, sills, buttresses or other similar architectural features may encroach up to 3 feet into a required setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.
2. Unenclosed patios, decks, terraces or porte cochere may encroach into a side interior or rear setback, provided that such extension is at least 3 feet from the vertical plane of any lot line.
3. An awning, canopy or gallery may encroach into a front or side street setback provided that such extension is at least 1 foot from the vertical plane of any lot line.
4. A front porch may encroach up to 9 feet, including the steps, into a front or side street setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.
5. A front stoop may encroach up to 6 feet, including the steps, into a front or side street setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.

6. Balconies may encroach up to 5 feet, provided that such extension is at least 5 feet from the vertical plane of any lot line.
7. Handicap ramps may encroach to the extent necessary to perform their proper function.
8. Fire escapes may encroach up to 4.5 feet, including the steps provided that such extension is at least 2 feet from the vertical plane of any lot line.
9. Structures below and covered by the ground may encroach into a required setback.

## **B. Site Features**

1. Fences and walls may encroach into a required setback.
2. Sidewalks and driveways may encroach into a required setback.
3. A required buffer yard may encroach into a required setback.
4. Landscaping may encroach into a required setback.
5. Signs under may encroach into a required setback as stated in Sec. 1711-3.

## **C. Low Impact Stormwater Features**

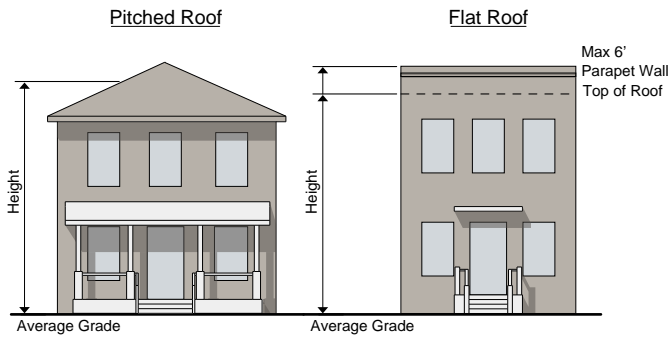
1. Low impact stormwater management features may encroach up to 2 feet into a front or side street setback (but not into the required sidewalk), including, but not limited to:
  - a. Rain barrels or cisterns, 6 feet or less in height;
  - b. Planter boxes;
  - c. Bio-retention areas; and
  - d. Similar features, as determined by the Director.
2. Low impact stormwater management features listed above may encroach into a side interior or rear setback, provided such extension is at least 2 feet from the vertical plane of any lot line.

## **D. Mechanical Equipment and Utility Lines**

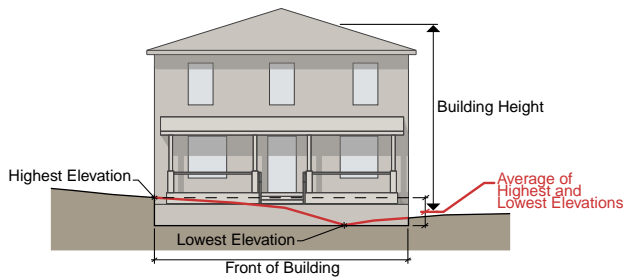
1. Mechanical equipment associated with residential uses, such as HVAC units, swimming pool pumps or filters, security lighting, and tankless water heaters may encroach into a side interior or rear setback, provided that such extension is at least 3 feet from the vertical plane of any lot line.
2. Minor structures accessory to utilities (such as hydrants, manholes, and transformers and other cabinet structures and related fences) may encroach into a required rear or side setback.
3. Minor utilities below and covered by the ground may encroach into a required setback.

## 1703-10.7. Building Height

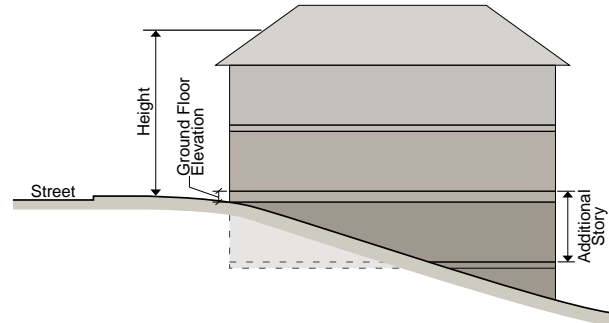
- A. Building height is measured from the average grade to the mean height level between the eaves and ridge of a gable, hip, mansard, or gambrel roof or to the highest point of roof surface of a flat roof.



- B. Average grade is determined by calculating the average of the highest and lowest elevation along natural or improved grade (whichever is more restrictive) along the front of the building parallel to the front street setback line.



- C. Where a lot slopes downward from the front property line, one story that is additional to the specified maximum number of stories may be built on the lower, rear portion of the lot.



## 1703-10.8. Height Encroachments

Any height encroachment not listed below is prohibited except where the Director determines that the encroachment is similar to a permitted encroachment listed below.

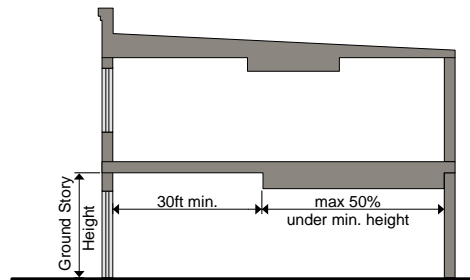
- A. The maximum height limits of the district do not apply to a spire, belfry, cupola, dome, or other similar feature that does not contain conditioned space and is not intended for human occupancy, or public utility facilities which by design or function must exceed the established height limits.
- B. The following may exceed the established height limit of the district provided they do not exceed the maximum height by more than 6 feet:
1. Chimney, flue or vent stack;
  2. Rooftop deck, patio, shade structure;
  3. Flagpole;
  4. Vegetation or railings associated with a rooftop garden or landscaping;
  5. Skylights;
  6. Parapet wall; and
  7. Solar panels, wind turbines and rainwater collection systems.

- C. The following may exceed the established height limits provided they do not exceed the maximum building height by more than 10 feet, do not occupy more than 25% of the roof area, and are set back at least 10 feet from the edge of the roof:

1. Amateur communications tower;
2. Elevator or stairway access to roof;
3. Greenhouse associated with a rooftop garden; and
4. Mechanical equipment.

### 1703-10.9. Story Height

- A. Ground story height is measured from the top of the finished floor to the ceiling above.
- B. Minimum ground story height applies to the first 30 feet of the building measured inward from the interior wall of the street-facing facade. At least 50% of the ground story must meet the minimum height provisions.



### 1703-10.10. Transparency

- A. Transparency is the minimum percentage of windows and doors that must cover a ground or upper story facade.
- B. Transparency applies to front and side street-facing facades only.
- C. Glass is considered transparent where it has a transparency higher than 80% and external reflectance of less than 15%.
- D. Ground story transparency is measured between 2 and 12 feet above the abutting sidewalk.

- E. Upper story transparency is measured from top of the finished floor to the top of the finished floor above. When there is no floor above, upper story transparency is measured from the top of the finished floor to the top of the wall plate.



### 1703-10.11. Pedestrian Access

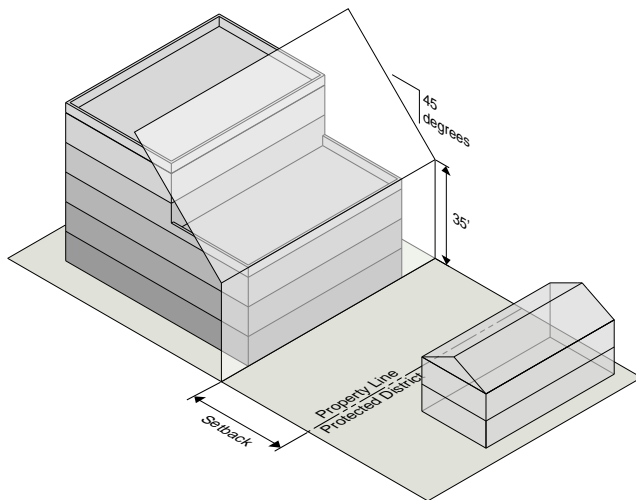
- A. An entrance providing both ingress and egress, operable to residents at all times or customers during hours of operation, is required to meet the street-facing entrance requirements. Additional entrances off another street, pedestrian area or internal parking area are permitted.
- B. An angled entrance may be provided at either corner of a building along the street to meet the street-facing entrance requirements.



## 1703-10.12. Neighborhood Compatibility

### A. Height Plane

1. The following height plane applies when a site immediately abuts a district boundary of an SF-20, SF-10, SF-6, SF-4 or SF-2 district.
2. When required, a building cannot extend into a 45-degree angular plane projecting over the subject property measured from a height of 35 feet at the side interior or rear setback line. One foot of additional setback is required for every foot of height above 35 feet until the maximum height of the district is reached.
3. The height plane applies up to 100 feet from the district boundary line.



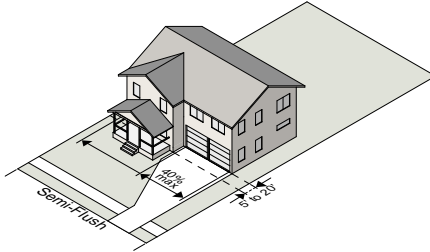
### B. Buffer Yard

A buffer yard may also be required. See Sec. 1711-2.

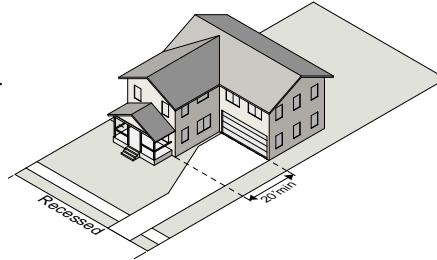
## 1703-10.13. Residential Garage Parking

### A. Single-Family, Two-Family

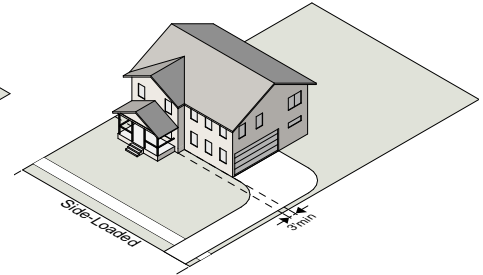
Single-family and two-family on lots of less than 1 acre, garage placement must match one of the following:



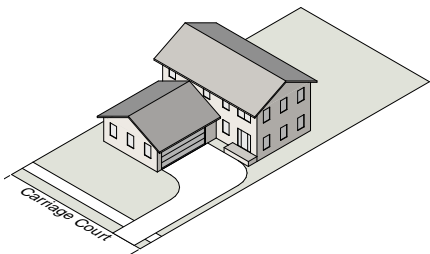
**Semi-Flush.** Garage doors are oriented toward the street. Garage doors must be positioned between 5 and 20 feet behind the front wall plane of the house, extending no more than 40% of the width of the house. No individual garage door may exceed 12 feet in width.



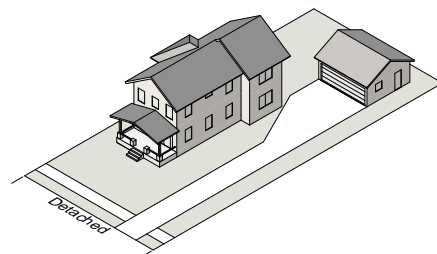
**Recessed.** Garage doors are oriented toward the street. Garage doors must be positioned at least 20 feet behind the front wall plane of the house. There is no restriction on garage door width.



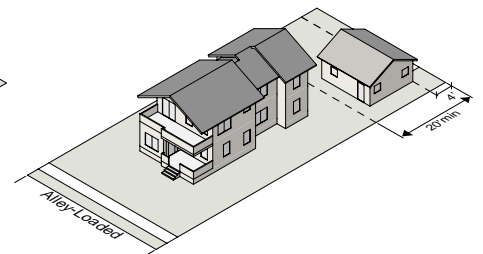
**Side-Loaded.** Garage doors are oriented perpendicular to the front wall plane. Any wall of the garage must be located at least 3 feet behind the front wall plane of the house.



**Carriage Court.** Garage doors are oriented perpendicular to the front wall plane. Garage is located entirely in front of the house.



**Detached.** Garage is placed entirely to the rear of the house.



**Alley-Loaded.** Garage is placed entirely to the rear of the house and is alley-accessed. Garage doors must face the alley. The garage must either be located 4 feet from the alley right-of-way or be a minimum of 20 feet from the alley right-of-way. Where parking spaces are located between the garage and the alley, the garage must be located at least 20 feet from the alley right-of-way.

## B. RowhouseAttached Single-Family

For rowhouses-attached single-family units, garage placement must meet the following.



1. Garage is placed entirely to the rear and is rear-accessed. Garage can be attached or detached.
2. Garage doors must face the rear alley or easement.
3. The garage must either be located 4 feet from the rear right-of-way or easement line or be a minimum of 20 feet from the rear right-of-way or easement line.

## 1703-10.14. Residential Parking Location

### A. Parking in the Front Yard

1. In all single-family and two-family lots and in RM-L, parking in the front street yard is allowed permitted only on a hard-surfaced driveway access drive (i.e., asphalt, concrete, a ribbon turf-reinforced driveway, or gravel if approved by the Director), where such drives lead to the parking lots or spaces either within the principal building or in any accessory structure or at locations behind the front line of a building. No parking is allowed permitted in grass or lawn areas.
2. ~~Combined parking and driveway area cannot constitute more than 40% of the front street yard.~~

3. Any parking in the front street yard must have sufficient depth so that parked cars do not encroach on the sidewalk. Garage doors must be set back at least 20 feet from the sidewalk.

### B. Tandem Parking

1. Tandem parking is allowed permitted for residential uses.
2. Two parking spaces in tandem must have a combined minimum dimension of 9 feet in width by 36 feet in length.
3. Both parking spaces in tandem must be assigned to the same dwelling unit.
4. Tandem parking may not be used to provide guest parking.